

## AMENDING OR REPEALING CERTAIN GOVERNMENT PROPERTY LAWS, AND FOR OTHER PURPOSES

SEPTEMBER 24 (legislative day, SEPTEMBER 19), 1951.—Ordered to be printed

Mr. McCLELLAN, from the Committee on Expenditures in the Executive Departments, submitted the following

### REPORT

[To accompany S. 1952]

The Committee on Expenditures in the Executive Departments, to whom was referred S. 1952, to amend or repeal certain Government property laws, and for other purposes, having considered the same, report favorably thereon, with amendments, and recommend that the bill do pass.

The amendments are as follows:

On page 14, strike out all of lines 12, 13, and 14 and renumber all of the succeeding paragraphs of section 1.

On page 22, between lines 12 and 13, insert the following new paragraphs:

(14) Of "and shall submit through the Secretary of the Interior, estimates thereof" in the first proviso in the last full paragraph on page 147 of volume 19 of the Statutes at Large, in the Act of August 15, 1876, and of "and shall submit through the Secretary of the Interior annually estimates thereof" in the twelfth full paragraph on page 298 of volume 19 of the Statutes at Large, in the Act of March 3, 1877 (40 U. S. C. 162).

(15) Of "Extension, and the same shall be paid for by the Secretary of the Interior out of the appropriations for such extension, and from no other appropriation" in section 1816 of the Revised Statutes (40 U. S. C. 166).

(16) The ninth full paragraph on page 612 of volume 31 of the Statutes at Large, in the Act of June 6, 1900 (40 U. S. C. 168 (a)).

(17) Of "with the approval of the Secretary of the Interior" in section 11 of the Act of June 26, 1912, as amended (37 Stat. 184; 40 U. S. C. 171).

(18) The fifth paragraph on page 458 of volume 38 of the Statutes at Large, in the Act of July 16, 1914 (40 U. S. C. 172).

(19) Section 1832 of the Revised Statutes (40 U. S. C. 218).

(20) Section 1833 of the Revised Statutes (40 U. S. C. 219).

(21) Section 220 of the Revised Statutes (40 U. S. C. 220).

## 2 AMEND OR REPEAL CERTAIN GOVERNMENT PROPERTY LAWS

On page 24, immediately after line 15, insert the following new section:

(10) By amending the fourth full paragraph appearing on page 547 of volume 44 of the Statutes at Large, in the Act of May 13, 1926 (41 U. S. C. 6a), to read as follows:

"Hereafter the purchase of supplies and equipment and the procurement of services for all branches under the Architect of the Capitol may be made in the open market without compliance with section 3709 of the Revised Statutes of the United States, as amended, in the manner common among businessmen, when the aggregate amount of the purchase or the service does not exceed \$500 in any instance."

These clarifying amendments were submitted to the committee by the Architect of the Capitol for the purpose of repealing a number of obsolete laws, some of which were in effect since 1877.

### PURPOSE

The purpose of S. 1952 is to repeal, in whole or in part, laws which have become obsolete, inoperative, or are in conflict with recent legislation enacted to provide the Government with a more efficient system of procurement and distribution of supplies and materials, property management, utilization of surplus property, and other legislation affecting the administration of departments and agencies of the Government.

Some of the proposed repealers and amendments will remove from the statutes obsolete provisions of law which date back to 1882, while in other instances they will clarify existing statutes and authority governing the administration of functions carried on by the executive branch as well as the clarification of some activities affecting the Architect of the Capitol.

The original bill was drafted by the General Services Administration in cooperation with the Bureau of the Budget, after consultation with the agencies affected by each repealer, and submitted to the committee for the purpose of removing from the statutes those provisions of law which have become obsolete by reason of the enactment of the Federal Property and Administrative Services Act of 1949, as amended. This action was in accord with section 212 of that act, which provides that:

The Administration shall submit a report to the Congress in January of each year and at such other times as he may deem it desirable, regarding the administration of his functions under this Act, together with such recommendations for amendments to this Act as he may deem appropriate as the result of the administration of such functions, at which time he shall also cite the laws becoming obsolete by reason of passage or operation of the provisions of this Act.

When the above-cited act was considered by the committee it was developed that there were many existing laws affecting the custody, control, and management of Government property which might be found to be in direct conflict with certain provisions of the act. Time did not permit a thorough study of all those laws at that time, and the committee therefore inserted the above provision in the bill, requiring the Administrator of General Services to make a comprehensive study of all laws affected by the Federal Property and Administrative Services Act, and to submit recommendations to the Congress for amendment or repeal of those laws which became obsolete or are in conflict with the purpose and intent of the act.

The over-all objective of the proposed legislation is to bring about a clearer codification of existing laws and to insure simplification of administration under clear-cut administrative procedures. The subject bill was introduced after more than a year of painstaking effort spent in analyzing the hundreds of public laws relating to the various provisions of the act, in order to determine which of the existing laws were in conflict or became inoperative by reason of the approval of recent legislation by Congress.

In recommending the approval of S. 1952, the committee is convinced that the enactment of this measure will (1) effect appreciable annual savings in printing and other costs, and (2) simplify the legal research required to ascertain the existing state of the law with respect to numerous phases of Federal property procurement, management, and disposition.

It is believed that even greater benefit could be achieved through the adoption by other committees of the continuing policy of inserting in substantive legislative proposals affecting executive agencies the affirmative requirement that such agencies conduct studies and make recommendations for the repeal or revision of obsolete statutory provisions of law affecting such agencies. Numerous enactments which have become obsolete with the passage of time, or have been superseded in whole or in part by later legislation, never have been specifically repealed or revised and are reprinted periodically in the United States Code although they have little or no current effect. Repeal of provisions having no current legal effect would permit their omission from future editions of the code, and the revision of those which still have some legal effect to conform to the requirements of later statutes would simplify the process of statutory analysis and interpretation with attendant saving of time by personnel affected.

#### CHANGES IN EXISTING LAW

In compliance with subsection (4) of rule XXIX of the Standing Rules of the Senate, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italics, existing law in which no change is proposed is shown in roman):

##### SECTION 1

(1) [The head of any executive department or bureau or any commission of the Government is hereby authorized from time to time to turn over to the Librarian of Congress, for the use of the Library of Congress, any books, maps, or other material in the library of the department, bureau, or commission no longer needed for its use, and in the judgment of the Librarian of Congress appropriate to the uses of the Library of Congress.]

NOTE.—Unnecessary in view of sections 201 (c) and 202 of the Federal Property and Administrative Services Act of 1949, as amended (Public Laws 152 and 754, 81st Cong.), hereinafter referred to as the "Act."

(2) [The Quartermaster General of the Army shall provide suitable accommodations for the horses, carriages, and other vehicles of the President and of the Executive Office, in the stables maintained in the District of Columbia by and for the use of his department.]

NOTE.—Obsolete.

(3) [The Secretary of State, the Secretary of the Treasury, the Secretary of the Interior, the Secretary of War, the Secretary of the Navy, the Postmaster-General, the Attorney-General, and Commissioner of Agriculture shall keep, in proper books, a complete inventory of all the property belonging to the United

States in the buildings, rooms, offices, and grounds occupied by them, respectively, and under their charge, adding thereto, from time to time, an account of such property as may be procured subsequently to the taking of such inventory, as well as an account of the sale or other disposition of any of such property, except supplies of stationery and fuel in the public offices and books, pamphlets, and papers in the Library of Congress.]

NOTE.—Unnecessary in view of sections 202 (b) and 205 (b) of the act.

(4) [SEC. 226. Any surplus charts of the northwestern lakes may be sold to navigators upon such terms as the Secretary of War may prescribe.]

NOTE.—Unnecessary in view of sections 202 and 203 of the act.

(5) [That the Secretary of War be, and he is hereby, authorized and directed to apportion and distribute pro rata among the several States and Territories, and possessions of the United States and the District of Columbia in corresponding ratio as the total number of men serving in the armed forces of the United States, as hereinafter provided, from each State, Territory, or possession of the United States and the District of Columbia bears to the total number of men so serving from all States, Territories, possessions, and the District of Columbia, all guns and howitzers with their respective carriages, machine guns, and other war devices and trophies suitable for distribution and captured by or surrendered to the armed forces of the United States from the armed forces of Germany and allied nations, with the exception of such guns, howitzers, carriages, machine guns, and other war devices and trophies as may be required for experimental purposes, or for actual use by the armed forces of the United States; and the further exception of such of the devices afore-mentioned as may be required for display in national museums, at national homes for disabled volunteer soldiers, or for monumental purposes in Arlington National Cemetery and in other national cemeteries, national parks, and national monuments wheresoever situated.

[SEC. 2. That for the purposes of this Act the reports heretofore compiled under the direction of the Secretary of War showing the number of men in the armed forces of the United States accredited to each State, Territory, and possession of the United States, and to the District of Columbia, either by enlistment or by the process of the Selective Service Act, or otherwise drawn into and becoming an integral part of the armed forces of the United States during the period April 7, 1917, to November 11, 1918, and the allotment of war trophies suitable for distribution among the several States, Territories, and possessions, and the District of Columbia, shall serve as the basis of distribution. As soon as practicable after the date upon which this Act shall become effective the Secretary of War shall cause the chief executive of each of the several States, Territories, and possessions, and the Commissioners of the District of Columbia to be informed of the character and quantity of war devices and trophies apportioned thereto, and shall invite each such chief executive and the Commissioners of the District of Columbia to designate such material as will be accepted free on board common carrier at the point of storage and to designate the point or points to which the accepted material is to be shipped without expense to the United States other than that of packing and loading at the point of storage: *Provided*, That the Secretary of War is authorized to apportion and distribute such war devices and trophies, formerly contemplated by the said reports heretofore compiled as unsuitable for distribution as trophies, as he deems suitable for distribution and to include the Canal Zone in such apportionment and distribution.

[SEC. 3. Shipment of the apportionment of each State, Territory, and possession, and the District of Columbia accepted shall be made as soon as practicable after the chief executive or the commissioners thereof, as the case may require, shall have informed the Secretary of War that such State, Territory, possession, or District will accept and take possession thereof as hereinbefore provided for and will relieve the United States of all responsibility for the safe delivery of the material and of all charges, costs, and expenses whatsoever connected with the transportation thereof: *Provided*, That if the chief executive or the commissioners of any State, Territory, possession, or District shall not, on or before July 1, 1927, file with the Secretary of War such acceptance and agreement, such apportionment, or any part thereof, shall be reapportioned and redistributed to the several States, Territories, and possessions of the United States, the District of Columbia, and the Canal Zone as the Secretary of War shall determine, and any residue not accepted or rejected on or before July 1, 1928, shall be sold as surplus property as it then is and where it then is, or shall be destroyed, all as the Secretary of War, in his discretion, shall determine; war devices and trophies considered by the Secretary of War as unsuitable for distribution under this Act, may be sold, or otherwise disposed of.



【SEC. 4. That all charges for apportioning, segregating, packing, and loading war trophies and devices for distribution to the designated point or points within each of the several States, Territories, and possessions, and the District of Columbia, as provided for herein, and for transportation to national museums, national homes for disabled volunteer soldiers, national cemeteries, and national parks, and for the disposition of undistributed war devices and trophies shall be paid by the United States Government from an appropriation to be made for that purpose.】

【SEC. 5. That the Secretary of War be, and he is hereby, authorized to make all rules and regulations to carry this Act into effect.】

【SEC. 6. That to enable the Secretary [sic] of War to carry out the provisions of this Act there is hereby authorized to be appropriated out of any money in the United States Treasury not otherwise appropriated, the sum of \$39,000, or so much thereof as may be necessary: *Provided*, That none of said sum shall be expended in cleaning, painting, or otherwise reconditioning war devices and trophies prior to shipment.】

NOTE.—Obsolete.

(6) 【That hereafter whenever contracts in excess of \$500 in amount which are not to be performed within sixty days are made on behalf of the Government by the Secretary of War, or by officers authorized by him to make them, such contracts shall be reduced to writing and signed by the contracting parties. In all other cases contracts shall be entered into under such regulations as may be prescribed by the Secretary of War.】

NOTE.—Unnecessary in view of section 206 of the act and section 3743 of the Revised Statutes, as amended (41 U. S. C. 20).

(7) 【SEC. 8. That the Secretary of War is authorized and empowered, in his discretion, to use any property or parts thereof, including lands other than lands withdrawn from public domain, under his control and jurisdiction for the prosecution of any authorized civil work or function administered by the War Department without charge, except usual handling charges, against appropriations for such civil works or functions.】

NOTE.—Unnecessary in view of section 202 (c) of the act.

(8) 【It shall be the duty of the Bureau of Provisions and Clothing to cause property accounts to be kept of all the supplies pertaining to the naval establishment, and to report annually to Congress the money values of the supplies on hand at the various stations at the beginning of the fiscal year, the dispositions thereof, and of the purchases, and the expenditures of supplies for the year, and the balances remaining on hand at the end thereof.】

NOTE.—Unnecessary in view of section 205 (b) of the act and section 410 of the National Security Act of 1947, as amended (63 Stat. 590).

(9) 【That hereafter the Secretary of Agriculture may, in his discretion and under such conditions as he may prescribe, supply to any municipality or public institution not more than one American bison from any surplus which may exist in any herd under the control of the Department of Agriculture; and, in order to aid in the propagation of the species, animals may be loaned to or exchanged with other owners of American bison.】

NOTE.—Obsolete.

(10) \* \* \* *Provided*, That the Secretary of Agriculture is authorized 【to transfer to any Government department or establishment or to local authorities or institutions such property and/or equipment or to sell the same at public or private sale and】 to pay from this appropriation the salaries of the present employees of said stations appointed from the continental United States, including salaries during such leave as may be granted under the Acts approved June 30, 1914, and July 24, 1919 (U. S. C., title 5, secs. 535 and 536), together with traveling expenses of themselves and families, including the transportation of such quantity and character of their personal effects as may be authorized by the Secretary of Agriculture, in returning to the usual port of debarkation in the United States, and the Secretary of Agriculture is authorized to sell such products as are obtained on the land belonging to the agricultural experiment stations in Hawaii and Porto Rico, and the amount obtained from the sale thereof shall be covered into the Treasury of the United States as miscellaneous receipts.

NOTE.—Obsolete.

(11) 【And hereafter the Secretary of Agriculture is authorized to sell in the open market or to exchange for other breeding animals or animal products to the best advantage, without the usual condemnation proceedings and public auction, such animals or animal products produced or purchased under the appropriations made by Congress for the use of the Bureau of Animal Industry as may not be needed in the work of that bureau: *Provided*, That all moneys

received from the sale of such animals or animal products, or as a bonus in the exchange of the same, shall be deposited in the Treasury as miscellaneous receipts.】

NOTE.—Unnecessary in view of sections 202, 203, and 204 of the act.

(12) Federal Experiment Station, Puerto Rico: To enable the Secretary to establish and maintain an agricultural experiment station in Puerto Rico, including the preparation, illustration, and distribution of reports and bulletins, \$99,375 [; and the Secretary is authorized to sell such products as are obtained on the land belonging to the agricultural experiment station in Puerto Rico and the amount obtained from the sale thereof shall be covered into the Treasury of the United States as miscellaneous receipts.】

NOTE.—Unnecessary in view of sections 202, 203, and 204 of the act.

(13) [Notwithstanding the provisions of section 1222 of the Revised Statutes (U. S. C., title 10, sec. 576), a commissioned officer on the active list of the United States Army may be appointed to the office of Federal Works Administrator without loss of or prejudice to his status as such commissioned officer, and when so appointed he shall receive, in addition to his pay and allowances as such commissioned officer, an amount equal to the difference between such pay and allowances and the salary prescribed by law for the office of Federal Works Administrator.】

NOTE.—Unnecessary in view of section 103 (b) of the act.

(14) \* \* \* [And provided, That hereafter, when any machinery, apparatus implements, supplies, or materials which have been heretofore or may hereafter be purchased or acquired from appropriations made for the support of the United States Military Academy are no longer needed or are no longer serviceable, they may be sold in such manner as the superintendent may direct; and that the proceeds shall be turned into the Treasury as miscellaneous receipts.】

NOTE.—Unnecessary in view of sections 202, 203, and 204 of the act.

(15) [SEC. 3714. All purchases and contracts for supplies or services for the military and naval service shall be made by or under the direction of the chief officers of the Departments of War and of the Navy, respectively. And all agents or contractors for supplies or service as aforesaid shall render their accounts for settlement to the accountant of the proper department for which such supplies or services are required, subject, nevertheless, to the inspection and revision of the officers of the Treasury in the manner before prescribed.】

NOTE.—Obsolete, and unnecessary in view of the National Security Act of 1947, as amended (61 Stat. 495, 63 Stat. 578).

(16) [Hereafter whenever contracts which are not to be performed within six months are made on behalf of the Government by the Chief of Air Service or by officers of the Air Service authorized to make them, and are in excess of \$500 in amount, such contracts shall be reduced to writing and signed by the contracting parties. In all other cases contracts shall be entered into under such regulations as may be prescribed by the Chief of Air Service.】

NOTE.—Unnecessary in view of section 206 of the act and section 3743 of the Revised Statutes, as amended (41 U. S. C. 20).

(17) [Transfer of ammunition: That the Secretary of War be, and he is hereby, authorized to turn over on request from other executive departments of the Government, in his discretion, from time to time, without charge therefor, such ammunition, explosives, and other ammunition components as may prove to be or shall become surplus or unsuitable for the purposes of the War Department and as shall be suitable for use in the proper activities of other executive departments.】

NOTE.—Unnecessary in view of section 202 of the act.

(18) [SEC. 8. That the Secretary of War be, and he is hereby, authorized and empowered, in his discretion, to transfer, free of charge, to the Chief of Engineers, United States Army, for use in the execution, under his direction, of any civil work or works authorized by Congress, such material, supplies, instruments, vehicles, machinery, or other equipment pertaining to the Military Establishment as are or may hereafter be found to be surplus and no longer required for military purposes.】

NOTE.—Unnecessary in view of section 202 (c) of the act.

(19) [SEC. 1241. The President may cause to be sold any military stores which upon proper inspection or survey, appear to be damaged, or unsuitable for the public service. Such inspection or survey shall be made by officers designated by the Secretary of War, and the sales shall be made under regulations prescribed by him.】

NOTE.—Unnecessary in view of sections 202, 203, and 205 (a) of the act.

(20) [Disposal of real property by sale or lease: That the President is hereby authorized, through the head of any executive department, upon terms and conditions considered advisable by him or such head of department, to sell or lease real property or any interest therein or appurtenant thereto acquired by the United States of America since April 6, 1917, for storage purposes for the use of the Army, which in the judgment of the President or the head of such department is no longer needed for use by the United States of America, and to execute and deliver in the name of the United States and in its behalf any and all contracts, conveyances, or other instruments necessary to effectuate any such sale or lease.

[That all moneys received by the United States as the proceeds of any such sale or lease shall be deposited in the Treasury of the United States to the credit of "Miscellaneous receipts" and a full report of the same shall be submitted annually to Congress.]

NOTE.—Obsolete, and unnecessary in view of sections 202, 203, 204, 205 (a), and 212 of the act.

(21) \* \* \* [Provided further, That in addition to the delivery of the property heretofore authorized to be delivered to the Public Health Service, the Department of Agriculture and the Post Office Department of the Government, the Secretary of War be, and he is hereby, authorized to sell any surplus supplies including motor trucks and automobiles now owned by and in the possession of the Government for the use of the War Department to any State or municipal subdivision thereof, or to any corporation or individual upon such terms as may be deemed best.]

NOTE.—Obsolete.

(22) [That the Secretary of War is hereby authorized and directed to sell at public or private sale, under such rules and regulations as he may prescribe, all dental outfits in excess of the needs of the Government, preferentially to persons who served in the Army, Navy, Marine Corps, Coast Guard, or the American Red Cross of the United States during the recent war and who are at the time of such sale licensed to practice dentistry; but not more than one set of dental supplies shall be sold at private sale to any one person.]

NOTE.—Obsolete.

(23) [SEC. 5. The Secretary of War is authorized to transfer any unused and surplus motor-propelled vehicles and motor equipment of any kind, the payment for same to be made as provided herein, to any branch of the Government service having appropriations available for the purchase of said vehicles and equipment: *Provided*, That in case of the transfers herein authorized a reasonable price not to exceed actual cost, and if the same have been used, at a reasonable price based upon length of usage, shall be determined upon and an equivalent amount of each appropriation available for said purchase shall be covered into the Treasury as a miscellaneous receipt, and the appropriation in each case reduced accordingly: *Provided further*, That it shall be the duty of each official of the Government having such purchases in charge to procure the same from any such unused or surplus stock if possible: *Provided further*, That hereafter no transfer of motor-propelled vehicles and motor equipment, unless specifically authorized by law, shall be made free of charge to any branch of the Government service.]

NOTE.—Obsolete, and unnecessary in view of sections 202 and 204 of the act.

(24) [The interchange, without compensation therefor, of military stores, supplies, and equipment of every character, including real estate owned by the Government, is hereby authorized between the Army and Navy upon the request of the head of one service and with the approval of the head of the other service.]

NOTE.—Unnecessary in view of sections 202 (c) and (d) of the act.

(25) [All funds hereafter derived from the sale of ice or as receipts from the sale of electric current or laundry work under the appropriations of the Quartermaster Corps shall be deposited in the Treasury of the United States as miscellaneous receipts.]

NOTE.—Unnecessary in view of section 204 of the act and section 3617 of the Revised Statutes (31 U. S. C. 484).

(26) [That the Secretary of War is hereby authorized to grant revocable licenses for the removal of sand and gravel from the Fort Douglas Military Reservation, Utah, to persons and corporations within said State, to be used for industrial and manufacturing purposes, at such reasonable prices as may be fixed by the Secretary of War.]

NOTE.—Unnecessary in view of sections 202 and 203 of the act.

(27) \* \* \* [Provided, That hereafter no real estate of the War Department shall be sold or disposed of without authority of Congress, and all existing Acts

or parts thereof in conflict with this proviso, other than special Acts for the sale of stated tracts of land, are hereby repealed.]

NOTE.—Unnecessary in view of sections 202 and 203 of the act.

(28) TRANSPORTATION OF THE ARMY AND ITS SUPPLIES:

\* \* \* [ , and hereafter no steamship in the transport service of the United States shall be sold or disposed of without the consent of Congress having been first had or obtained];

NOTE.—Unnecessary in view of sections 202 and 203 of the act.

(29) [That the Secretary of War be, and he is hereby, authorized to sell or cause to be sold, either in whole or in two or more parts as he may deem best for the interest of the United States, the several tracts or parcels of real property hereinafter designated, or any portion thereof, upon determination by him that said tracts or parcels are no longer needed for military purposes, and to execute and deliver in the name of the United States and in its behalf any and all contracts, conveyances, or other instruments necessary to effectuate such sale and conveyance: *Provided*, That no part of any such tracts or parcels as are now actually occupied under lease or license by a post of the American Legion shall be sold without the consent of such post:

#### [NAME OF RESERVATION

- [Anastasia Island, Florida.
- [Andrew, Fort, Massachusetts.
- [Barrancas, Fort, Military Reservation, Florida (that portion purchased in April, 1832, and reserved by Executive order of January 10, 1838, and subsequently transferred to the War Department).
- [Battery Bienvenue, Louisiana.
- [Boca Grande Military Reservation, Florida (all except that portion reserved for and used as a Marine hospital reservation).
- [Casey, Fort, Washington (that portion known as "Shields Spring") tract, about sixty-six acres.
- [Chickamauga and Chattanooga National Military Park, Tennessee (lot numbered 30 and one-half of lot numbered 32 on Caroline Street).
- [Clinch, Fort, Florida (remainder).
- [Crockett, Fort, Texas (lots numbered 45 and 55, section 1, Galveston, Texas).
- [Dade, Fort, Florida.
- [DeSoto, Fort, Florida.
- [Flag Island, Florida.
- [Howard, Fort, Maryland.
- [Jackson, Fort, Louisiana.
- [Jackson Barracks, Louisiana.
- [Key West Barracks, Florida.
- [Macomb, Fort, Louisiana.
- [Madison Barracks, New York (water lot).
- [Martello Tower, West, Florida (north portion, ten and six-tenths acres).
- [Martello Tower, East, Florida (north portion, ten acres).
- [Mobile Bay (islands in), Alabama.
- [Moreno Point, Florida.
- [Morgan, Fort, Alabama.
- [Newport News warehouses, Virginia (that portion lying between the right-of-way of the Chesapeake and Ohio Railway and Virginia Avenue in the city of Newport News, and the said right of way of the said Chesapeake and Ohio Railway and the county road in the county of Warwick, and between Forty-ninth Street in the city of Newport News and the lands of the Old Dominion Land Company).
- [Norfolk, Fort, Virginia.
- [Pensacola Military Reservation, Florida (all but five hundred and fifty-two thousand square feet reserved for a fire-control station).
- [Perdido Bay Military Reservation, Florida (east side of entrance to).
- [Perdido Bay Military Reservation, Florida (lands west of and north of Bay La Launch).
- [Perdido Bay Military Reservation, Alabama (lands on west side of entrance to).
- [Pickens, Fort (Santa Rosa Island), Military Reservation, Florida (portion comprising the east end of Santa Rosa Island).
- [Pike, Fort, Louisiana.
- [Saint Andrews Sound Military Reservation, Florida.
- [Saint Josephs Bay Military Reservation, Florida.
- [San Diego Barracks, California.
- [Schuyler, Fort, New York.



[Ship Island, Mississippi.

[Smallwood, Fort, Maryland.

[Taylor, Fort, Florida (the detached lot fronting on Whitehead Street between Louisa and United Streets in the city of Key West, Florida).

[Three Tree Point Military Reservation, Washington.

[Townsend, Fort, Washington.

[Marsh Islands (opposite Powder House Lot Military Reservation) near Saint Augustine, Florida.

[Wingate, Fort, New Mexico (that portion north of the right-of-way of the Atchison, Topeka and Santa Fe Railroad, nine thousand five hundred and two acres).

[Washington, District of Columbia (part of lot 4, square 377).

[SEC. 2. That prior to the sale under this Act of any reservation created out of the public domain, the Secretary of War shall make request upon the Secretary of the Interior to determine whether or not the State is entitled to any of the lands embraced therein under the so-called swamp land grant (Act of September 28, 1950, Ninth Statutes, pages 519, 520), and if the Secretary of the Interior shall determine that the State under the provisions of the said Act is entitled to any lands therein, he shall cause such lands to be surveyed and patented to the State: *Provided further*, That upon request of the Secretary of War the Secretary of the Interior may cause surveys to be made either as a whole or in two or more parts as the Secretary of War may request of any reservation or reservations authorized to be sold under this Act.

[SEC. 3. The Secretary of War is hereby authorized, directed, and empowered, in the event it be found that any citizen of the United States, or the ancestors, the assignors, or the predecessors in title of a citizen, either separately or by tacking, shall have for a period of twenty or more years immediately preceding the approval of this Act resided upon and occupied adversely or improved any part or parcel of the aforesaid designated property; or exercised ownership thereof based upon a deed of conveyance, purporting to convey a fee simple title and executed twenty years or more prior to the passage of this Act, and theretofore made by one claiming title to such part or parcel, to have such part or parcel so claimed separately surveyed if requested in writing by a claimant within sixty days after the service of written notice on such person or his tenant or agent that the United States claims such land, and to thereafter convey title to the claimant by quitclaim deed upon payment of 10 per centum of the appraised value thereof: *Provided*, That any claimant who fails or refuses for more than sixty days after the notice herein provided to make written application for survey and submit satisfactory record and other evidence required by the Secretary of War to substantiate the claim that he is entitled to a quitclaim deed under the provisions of this section shall forever be estopped from exercising any claim of title or right of possession to the property: *Provided further*, That the Secretary of War may, in his discretion, extend to citizens of the United States who have themselves or whose predecessors in interest have occupied and improved portions of such reservations under leases from or with the consent of the War Department for more than fifteen years prior to the approval of this Act, an option to buy the portions of such reservations so occupied and improved at the appraised value of the land exclusive of improvements placed thereon; and the Secretary of War is hereby authorized to convey title to such persons by quitclaim deed upon payment of the appraised value of any such portions: *Provided further*, That in carrying out the provisions of this section the Secretary of War shall not incur any expense other than that incident and necessary to giving the notices required and surveying and platting such of the property as may be claimed by a citizen of the United States.

[SEC. 4. The net proceeds of the sale of the surplus War Department real property hereinbefore designated, and the net proceeds of the sale of surplus War Department real property, including net proceeds derived from the sale of surplus buildings heretofore authorized and not heretofore covered into the Treasury, shall be deposited in the Treasury to the credit of a fund to be known as the Military Post Construction Fund, to be and remain available until expended for permanent construction at military posts in such amounts as may be authorized by law from time to time by the Congress: *Provided*, That where the lands sold were originally reserved from the public domain for military or other public purposes of the United States, before the deposit of the net proceeds of the sale into the Treasury there shall be deducted from the net proceeds of the sale, and paid to the State in which the land is situated in each case the 5 per centum as provided by the Act of March 3, 1845 (Fifth Statutes, page 788), and similar

Acts of the net proceeds of the sale of all such lands as were reserved subsequently to the passage of such Act or Acts, but excepting and excluding, however, from such deduction the appraised value of any buildings or improvements that may have been constructed by the United States upon the said lands: *And provided further*, That estimates of the moneys to be expended from the said Military Post Construction Fund, including a statement of the specific construction projects embraced in such estimates, shall be submitted annually to Congress in the Budget.

§Sec. 5. In the disposal of the aforesaid property the Secretary of War shall in each and every case cause the property to be appraised, either as a whole or in two or more parts, by an appraiser or appraisers to be chosen by him for each tract, and in the making of such appraisal due regard shall be given to the value of any improvements thereon and to the historic interest of any part of said land.

§Sec. 6. In the event that any other department of the Government shall require the permanent use of all or any part of any of the reservations herein authorized to be sold, the head of the department requiring the same shall, within ninety days after the approval of this Act, make application to the Secretary of War for the transfer thereof, giving the specific reasons therefor, but no such transfer shall be made unless approved by the President.

§Sec. 7. After ninety days from the date of the approval of this Act, and after the appraisal of the lands hereinbefore mentioned shall have been made and approved by the Secretary of War, notification of the fact of such appraisal shall be given by the Secretary of War to the governor of the State in which each such tract is located as to such lands not to be turned over to other departments, and such State, or county in which such land is located, or municipality in or nearest which such land is located shall, in the order named, have the option at any time within six months after such notification to the governor to acquire the same or any part thereof which shall have been separately appraised and approved upon payment within such period of six months of the appraised value thereof: *Provided, however*, That the conveyance of said tract of land to such State, county, or municipality shall be upon the condition and limitation that said property shall be limited to the retention and use for public purposes, and upon cessation of such retention and use shall revert to the United States without notice, demand, or action brought: *And provided further*, That if the proper official or board of any such State, county, or municipality shall within such time limit, notify the Secretary of War that said State, county, or municipality desires to exercise such option but has not the money available with which to make the payment, then said land or such part thereof as may have been separately designated shall be held for sale to such State, county, or municipality for a period not to exceed two years from the date of such notification: *Provided further*, That where any of the lands referred to in section 1 are now under lease or license to any State for National Guard purposes, the State shall have the right to purchase said lands at their appraised value, and after purchase may sell any part of such lands as in the opinion of the Secretary of War may not be needed for the use of the National Guard of such State: *And provided further*, That the sale of Fort Gaines, Alabama, authorized to be sold under the Act of June 4, 1924, may be consummated under the provisions of this section at any time prior to the public sale thereof as provided in said Act.

§Sec. 8. Six months after the date of the notification of said appraisal, if the option given in section 7 hereof shall not have been exercised in the manner herein specified, or after receipt by the Secretary of War of notice that the State, county, and municipality do not desire to exercise the option herein granted, the Secretary of War may sell or cause to be sold each of said properties at public sale at not less than the appraised value thereof, after advertisement in such manner as he may direct.

§Sec. 9. The expenses of appraisal, survey, advertising, and all expenses incident to the sale of the property hereinbefore authorized for disposition shall be paid from the proceeds of the sale of any of the properties sold under this Act: *Provided*, That no auctioneer or person acting in said capacity shall be paid a fee for the sale of said property in excess of \$100 a day.

§Sec. 10. A full report of all transfers and sales made under the provisions of this Act shall be submitted to Congress by the Secretary of War upon the consummation thereof.

§Sec. 11. Hereafter if any real property acquired for military purposes becomes useless for such purposes, the Secretary of War is directed to report such fact to Congress in order that authorization for its disposition in accordance with this Act may be granted.

[SEC. 12. The authority granted by this Act repeals all prior legislative authority granted to the Secretary of War to sell or transfer any of the reservations herein designated.]

NOTE.—Obsolete, and unnecessary in view of sections 202, 203, and 204 of the act.

(30) \* \* \* [Provided further, That notwithstanding any other provision of law, the Secretary of War shall not be authorized to sell any military post, or reservation, nor part thereof, acquired or owned by the United States prior to July 2, 1940, nor shall he declare any such military post, or reservation, nor any part thereof, surplus for disposition by any other officer board or commission: *Provided further*, That this prohibition shall not apply to nor prevent the transfer of real estate or other property to the Veterans' Administration for the care and treatment of veterans or to the Navy Department.]

NOTE.—Unnecessary in view of sections 202 and 203 of the act.

(31) [SEC. 3. That in order to make further provision for the military post construction fund established by the Act approved March 12, 1926, the Secretary of War is authorized to cause to be retransferred to the War Department, subject to the approval of the President, all real property heretofore transferred, or any part thereof, since January 1, 1919, from the War Department to other departments, bureaus, branches, or activities of the Government and no longer actually and necessarily required for their use, respectively, and upon the retransfer to the War Department of any such property the Secretary of War shall report the same to the Congress with recommendations as to its sale and the deposit of the proceeds to the credit of the military post construction fund.]

NOTE.—Obsolete.

(32) § 92. Secretary; general powers

For the purpose of executing the duties and functions of the Coast Guard the Secretary may within the limits of appropriations made therefor:

\* \* \* \* \*

[(e) exchange vessels and parts thereof in part payment for new vessels;]

NOTE.—Unnecessary in view of section 201 (c) of the act.

(33) § 93. Commandant; general powers

For the purpose of executing the duties and functions of the Coast Guard the Commandant may:

\* \* \* \* \*

[(k) exchange aircraft, vehicles, and parts thereof, and obsolete, unsuitable, or unserviceable machines, tools, aids to navigation, appliances, equipment, and supplies in part payment for new items of the same or similar character as those proposed to be exchanged;]

NOTE.—Unnecessary in view of sections 201 (c), 202, 203, and 204 of the act.

(34) \* \* \* [and hereafter the Secretary of Agriculture is authorized to sell any surplus maps or publications of the Weather Bureau, and the money received from such sales shall be deposited in the Treasury of the United States, section two hundred and twenty-seven of the Revised Statutes notwithstanding;]

NOTE.—Unnecessary in view of sections 202, 203, and 204 of the act.

(35) [Hereafter the purchase of supplies or the procurement of services by the National Park Service outside the District of Columbia may be made in open market without compliance with sections 3709 and 3744 of the Revised Statutes of the United States in the manner common among business men, when the aggregate amount of the purchase or service does not exceed \$50.]

NOTE.—Unnecessary in view of section 602 (f) of the act.

(36) [SEC. 519. The Chief of Engineers shall furnish proper offices for the use of the Office of Education.]

NOTE.—Obsolete.

(37) \* \* \* [Provided, That all the archives, records and materials relating to the Indians of North America, collected by the Geographical and Geological Survey of the Rocky Mountain Region, shall be turned over to the Smithsonian Institution, that the work may be completed and prepared for publication under its direction; *Provided*, That it shall meet the approval of the Secretary of the Interior and of the Secretary of the Smithsonian Institution.]

NOTE.—Obsolete.

(38) [The Secretary of Commerce is authorized to transfer to the Smithsonian Institution such instruments of the Coast and Geodetic Survey as in his judgment are of historic value but of no further use in the survey's work.]

NOTE.—Unnecessary in view of section 202 of the Act.

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(39) [The Secretary of Commerce is authorized to transfer, under such rules and regulations as he may deem advisable, to educational institutions and to museums, such instruments of the United States Coast and Geodetic Survey as, in his judgment, are of historical value but of no further use in the work of that survey, except such historical instruments as may be needed by the Smithsonian Institution for exhibit at the National Museum.]

NOTE.—Unnecessary in view of sections 202 and 203 of the act.

(40) \* \* \* [and the distribution of duplicate specimens of the National Museum and Fish Commission may be made to colleges, academies, and other institutions of learning upon the payment by the recipients of the cost of preparation for transportation and the transportation thereof.]

NOTE.—Unnecessary in view of sections 202 and 203 of the act.

(41) [That the Secretary of War be, and he is hereby, authorized, under such regulations as he may prescribe, to sell at 15 per centum of their cost to trade, technical, and public schools and universities, and other recognized educational institutions, upon application in writing, such machine tools as are suitable for their use which are now owned by the United States of America and are under the control of the War Department and are not needed for Government purposes. The money realized from the sale may be used by the Secretary of War to defray expenses, except cost of transportation, incident to distribution of the tools, and the balance shall be turned into the Treasury of the United States as miscellaneous receipts: *Provided*, That in the event any such material is offered for sale by said institutions without the consent in writing of the Secretary of War, title thereto shall revert to the United States.]

NOTE.—Obsolete.

(42) [That the Secretary of War be, and he is hereby, authorized in his discretion to transfer or loan to museums or properly accredited schools, colleges, and universities, for exhibition or instructional purposes, any aircraft, aircraft parts, instruments, or engines that have become obsolete or impaired to the extent that repair would not be economical: *Provided*, That such aircraft, aircraft parts, or engines will not be used in actual flight: *Provided further*, That no expense shall be caused the United States Government by the transfer or loan or return of said property.]

NOTE.—Unnecessary in view of sections 202 and 203 of the act.

(43) \* \* \* [*Provided further*, That pursuant to section 204 of Public Law 334, Seventy-ninth Congress, automobiles in possession of the Foreign Service abroad may be exchanged or sold and the exchange allowances or proceeds of such sales applied to replacement of an equal number of automobiles of the same general type and class.]

NOTE.—Unnecessary in view of section 201 (c) of the act.

(44) [SEC. 3. That the Secretary of Agriculture may exchange deteriorated explosives or explosive components, obtained by transfer from the Secretary of War for distribution among the States and for use in the improvement of roads under his direct supervision, for explosives or explosive products in condition for immediate use. The Secretary of Agriculture is further authorized, by contract or otherwise, to reclaim by reworking, reconditioning, cartridging, or otherwise converting into usable form such deteriorated explosives or explosive components as cannot be so exchanged, and to pay the cost thereof out of available administrative funds authorized by the Federal Highway Act approved November 9, 1921, and Acts amendatory thereof or supplementary thereto. The Secretary of Agriculture, in his discretion, may transfer to any department or agency of the Federal Government such of the materials acquired from such exchanges and also such of the explosives or explosive components as may be reworked, reconditioned, cartridged, or otherwise converted hereunder, as may be required by any such department or agency for use in its authorized activities: *Provided*, That the charges incident to the storage, handling, protection, exchange, reworking, reconditioning, cartridging, or conversion of such explosives or explosive components as may be certified by the Secretary of Agriculture to have been incurred against said administrative funds shall be reimbursed, said funds pro rata by the department or agency of the Federal Government, the State, or other agency receiving such explosives or explosive products.]

NOTE.—Unnecessary in view of sections 202 and 203 of the act.

(45) [That the Secretary of War be, and he is hereby, authorized and directed to transfer such motor-propelled vehicles and motor equipment, including spare parts, pertaining to the Military Establishment as are or may hereafter be found to be surplus and no longer required for military purposes, to (a) the Department of Agriculture, for use in the improvement of highways and roads under the pro-



visions of section 7 of the Act approved February 28, 1919, entitled "An Act making appropriations for the service of the Post Office Department, for the fiscal year 1920, and for other purposes": *Provided, however*, That no more motor-propelled vehicles, motor equipment, and other war material, equipment, and supplies, the transfer of which is authorized in this Act, shall be transferred to the Department of Agriculture for the purposes named in section 7 of said Act than said Department of Agriculture shall certify can be efficiently used for such purposes within a reasonable time after such transfer; (b) the Post Office Department for use in the transmission of mails; and (c) the Treasury Department, for the use of the Public Health Service under the provisions of section 3 of the Act approved March 3, 1919, entitled "An Act to authorize the Secretary of the Treasury to provide hospital and sanatorium facilities for discharged sick and disabled soldiers, sailors, and marines."

[SEC. 2. That the Secretary of War is hereby authorized and directed to transfer to the Department of Agriculture, under the provisions of section 7 of the Act approved February 28, 1919, entitled "An Act making appropriations for the service of the Post Office Department for the fiscal year 1920, and for other purposes," for use in the improvement of highways and roads, as therein provided, the following war material, equipment, and supplies pertaining to the Military Establishment as are or may hereafter be found to be surplus and not required for military purposes, to wit, road rollers, graders, and oilers; sprinkling wagons; concrete mixers; derricks; pile-driver outfits complete; air and steam drill outfits; centrifugal and diaphragm pumps with power; rock crushers; clamshell and orange-peel buckets; road scarifiers; caterpillar and drag-line excavators; plows; cranes; trailers; rubber and steam hose; asphalt plants; steam shovels; dump wagons; hoisting engines; air-compressor outfits with power; boilers; drag, Fresno, and wheel scrapers; stump pullers; wheelbarrows; screening plants; wagon loaders; blasting machines; hoisting cable; air hose; corrugated-metal culverts; explosives and exploders; engineers' transits, levels, tapes, and similar supplies and equipment; drafting machines; planimeters; fabricated bridge materials; industrial railway equipment; conveyors, gravity and power; donkey engines; corrugated-metal roofing; steel and iron pipe; wagons and similar equipment and supplies such as are used directly for road-building purposes.

[SEC. 3. That the Secretary of War is also hereby authorized and directed to transfer to the Department of Agriculture, for the use of the Forest Service, such telephone supplies pertaining to the Military Establishment which have been found to be surplus and no longer required for military purposes and are needed for the present use of the said service.

[SEC. 4. That freight charges incurred in the transfer of the property provided for in this Act shall not be defrayed by the War Department, and if the War Department shall load any of said property for shipment the expense of said loading shall be reimbursed the War Department by the department to which the property is transferred by an adjustment of the appropriations of the two departments: *Provided, however*, That any State receiving any of said property for use in the improvement of public highways shall, as to the property it receives, pay to the Department of Agriculture the amount of 20 per centum of the estimated value of said property, as fixed by the Secretary of Agriculture or under his direction, against which sum the said State may set off all freight charges paid by it on the shipment of said property, not to exceed, however, said 20 per centum.

[SEC. 5. That the title to said vehicles and equipment shall be and remain vested in the State for use in the improvement of the public highways, and no such vehicles and equipment in serviceable condition shall be sold or the title to the same transferred to any individual, company, or corporation: *Provided*, That any State highway department to which is assigned motor-propelled vehicles and other equipment and supplies, transferred herein to the Department of Agriculture, may, in its discretion, arrange for the use of such vehicles and equipment, for the purpose of constructing or maintaining public highways, with any State agency or municipal corporation at a fair rental which shall not be less than the cost of maintenance and repair of said vehicles and equipment.

[SEC. 6. That the provisions of the Act of July 16, 1914 (Thirty-eighth Statutes, page 454), prohibiting the expenditure of appropriations by any of the executive departments or other Government establishments for the maintenance, repair, or operation of motor-propelled or horse-drawn passenger-carrying vehicles in the absence of specific statutory authority, shall not apply to vehicles transferred, or hereafter to be transferred, by the Secretary of War to the Department of Agriculture for the use of the Department under the provisions of this Act, or under

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the provisions of section 7 of the Act of February 28, 1919, referred to in section 1 hereof: *Provided, however,* That nothing in this Act contained shall be held or construed to modify, amend, or repeal the provisions of the last proviso under the item entitled "Contingencies of the Army," as contained in the Act entitled "An Act making appropriations for the support of the Army for the fiscal year ending June 30, 1920, and for other purposes," approved July 11, 1919, except as to direction for the transfer of those articles enumerated in section 2 hereof.】

NOTE.—Unnecessary in view of sections 202 and 203 of the act.

(46) 【The Secretary of War is authorized to grant a revocable permit to the Saint Elizabeths Hospital for the use of such portions of land as are at present not under lease and such other portions thereof as leases thereof expire, of that portion of land lying along Anacostia Flats which has been reclaimed by the War Department and is valuable for farming purposes.】

NOTE.—Obsolete, and unnecessary in view of section 202 of the act.

(47) 【That the Secretary of War be, and he is hereby, authorized to dispose of by sale or exchange for other lots, in the manner and upon such terms as he shall deem expedient, all the right, title, and interest of the United States of America in and to burial lots located in commercial cemeteries, and to execute and deliver in the name of the United States of America and in its behalf any and all contracts, conveyances, or other instruments necessary to effectuate such sale or exchange, and that the expense of any sale shall be paid from the proceeds thereof and the net proceeds deposited in the Treasury to the credit of miscellaneous receipts.】

NOTE.—Unnecessary in view of sections 202, 203, and 204 of the act.

(48) TRANSPORTATION.

\* \* \* \* \*

\* \* \* 【*Provided,* That hereafter contracts involving an expenditure of more than two thousand dollars shall be advertised and let to the lowest responsible bidder.】

【That from and after the passage of this Act, Indian goods and supplies shall be transported under contract as provided in the Act of March third, eighteen hundred and seventy-seven, or in open market by common carriers, as the Secretary of the Interior in his discretion shall determine.】

NOTE.—Obsolete.

(49) 【SEC. 2122. The Secretary of the Interior is authorized to cause all such buildings belonging to the United States, as have been, or hereafter shall be, erected for the use of their agents, teachers, farmers, mechanics, and other persons employed amongst the Indians, to be sold whenever the lands on which the same are erected have become the property of the United States, and are no longer necessary for such purposes.】

NOTE.—Unnecessary in view of sections 202 and 203 of the act.

(50) 【SEC. 2123. The Secretary of the Interior is authorized to cause to be sold, at his discretion, with each of such buildings as are mentioned in the preceding section, a quantity of land not exceeding one section; and on the payment of the consideration agreed for into the Treasury of the United States by the purchaser, the Secretary shall make, execute, and deliver to the purchaser a title in fee-simple for such lands and tenements.】

NOTE.—Unnecessary in view of the repeal proposed by the preceding item hereof.

(51) 【SEC. 6. That whenever there is on hand at any of the Indian reservations government property not required for the use and benefit of the Indians on such reservations, the Secretary of the Interior is authorized to cause any such property to be transferred to any other Indian reservation where it may be used advantageously, or to cause it to be sold and the proceeds thereof deposited and covered into the Treasury in conformity with section thirty-six hundred and eighteen of the Revised Statutes of the United States.】

NOTE.—Unnecessary in view of sections 202, 203 and 204 of the act.

(52) 【SEC. 3796. PURCHASE OF STATIONERY.

【The purchase of stationery for the internal revenue service shall be made under the direction of the Secretary as in the case of other branches of the public service under the Treasury Department.】

NOTE.—Obsolete.

(53) 【SEC. 3945. PAYMENT OF ADVERTISING, STATIONERY, AND POSTAGE EXPENSES.

【There shall be paid, after the account thereof has been rendered to and approved by the General Accounting Office, to each collector, his necessary and

reasonable charges for advertising, stationery, and blank books used in the performance of his official duties, and for postage actually paid on letters and documents received or sent and exclusively relating to official business, but no such account shall be approved or allowed unless it states the date and the particular items of every such expenditure, and shall be verified by the oath of the collector.】

NOTE.—Obsolete.

(54) 【SEC. 5. That the Secretary of Labor is hereby directed to furnish sufficient quarters, office furniture and equipment for the work of this bureau.】

NOTE.—Obsolete.

(55) \* \* \* 【and all supplies hereafter purchased with moneys appropriated for any branch of the naval establishment shall be purchased, classified, and issued for consumption or use subject to the provisions contained in the act making appropriations for the naval service, approved June thirtieth, eighteen hundred and ninety, in reference to supplies therein provided for and on hand.】

NOTE.—Obsolete, and unnecessary in view of section 206 of the act.

(56) 【SEC. 7. That when any land which has been heretofore or may be hereafter purchased or acquired for the improvement of canals, rivers and harbors is no longer needed, or is no longer serviceable, it may be sold in such manner as the Secretary of War may direct, and any moneys received from such sale shall be deposited in the Treasury to the credit of miscellaneous receipts.】

NOTE.—Unnecessary in view of sections 202, 203, and 204 of the act.

(57) SEC. 3. That it shall be the duty of the Secretary of War to apply the money herein and hereafter appropriated for improvements of rivers and harbors, other than surveys, estimates and gaugings, in carrying on the various works, by contract or otherwise, as may be most economical and advantageous to the Government. 【Where said works are done by contract, such contract shall be made after sufficient public advertisement for proposals, in such manner and form as the Secretary of War shall prescribe; and such contracts shall be made with the lowest responsible bidders, accompanied by such securities as the Secretary of War shall require, conditioned for the faithful prosecution and completion of the work according to such contract.】

NOTE.—Unnecessary in view of section 206 of the act and the Armed Services Procurement Act of 1947 (62 Stat. 21).

(58) 【SEC. 2. That nothing contained in section thirty-seven hundred and seventeen of the Revised Statutes of the United States, nor in section three of the river and harbor act of August eleventh, eighteen hundred and eighty-eight, shall be so construed as to prohibit or prevent the cumulation of two or more works of river and harbor improvement in the same proposal and contract, where such works are situated in the same region and of the same kind or character.】

【SEC. 8. Whenever the appropriations made by Congress for river and harbor works can be more advantageously expended by combining in one contract two or more works, such combinations shall be made. \* \* \*】

NOTE.—Unnecessary since the first law cited has been repealed and the second is proposed for repeal by the preceding item hereof.

(59) 【SEC. 6. That the Secretary of War is authorized to make contracts with States, municipalities, private concerns, or individuals, at such prices and on such terms as he may deem reasonable, for domestic and industrial uses for surplus water that may be available at any reservoir under the control of the War Department: *Provided*, That no contracts for such water shall adversely affect then existing lawful uses of such water. All moneys received from such contracts shall be deposited in the Treasury of the United States as miscellaneous receipts.】

NOTE.—Unnecessary in view of sections 202, 203, and 204 of the act.

(60) COAST AND GEODETIC SURVEY.

\* \* \* \* \*

\* \* \* 【*And provided further*, That hereafter the purchase of supplies or the procurement of services outside the District of Columbia may be made in the open market in the manner common among business men when the aggregate amount of the purchase does not exceed \$50:】

NOTE.—Unnecessary in view of section 602 (f) of the act.

(61) 【The Secretary of the Navy is hereby authorized to sell any or all of the auxiliary ships of the Navy classified as colliers, transports, tenders, supply ships, special types, and hospital ships, which are eighteen years and over in age, which he deems unsuited to present needs of the Navy and which can be disposed of at an advantageous price, which shall not be less than fifty per centum of their



original cost, the money obtained from such sale to be covered into the Treasury as miscellaneous receipts.]

NOTE.—Unnecessary in view of sections 202, 203, and 204 of the act.

(62) [SEC. 7. No vessel, ship, or boat (except ships' boats) now in the United States Navy or being built or hereafter built therefor shall be disposed of by sale or otherwise, or be chartered or scrapped, except as now provided by law.]

NOTE.—Unnecessary in view of section 602 (c) of the act.

(63) [And for the purpose of utilizing accumulated naval supplies, the transfer is authorized, after requisition upon the Paymaster-General of the Navy, of any supplies belonging to one bureau and available for the use of another without reimbursement therefor by the bureau receiving the supplies so transferred: *Provided*, That supplies obtained for a specific object and still needed therefor, and supplies bought within the fiscal year in which the requisition is made, and provisions, clothing, and small stores shall not be subject to transfer without charge under the terms of this act.]

NOTE.—Unnecessary in view of section 202 (c) of the act.

(64) [That the Secretary of the Navy, insofar as Navy property is concerned, and the Secretary of the Treasury, insofar as Coast Guard property is concerned, are respectively authorized to exchange motor-propelled vehicles, airplanes, engines, and parts thereof, and obsolete, unsuitable, and unserviceable machines and tools, and parts thereof, in part payment for new equipment of the same or similar character as those proposed to be exchanged.]

NOTE.—Unnecessary in view of sections 201 (c), 202, 203, and 204 of the act.

(65) [The Secretary of the Navy is hereby authorized to sell, after advertisement of the sale for such time as in his judgment the public interests may require, condemned naval supplies, stores, and materials, either by public auction or by advertisement for sealed proposals for the purchase of the same.]

NOTE.—Unnecessary in view of sections 202 and 203 of the act.

(66) [And no old material of the Navy shall hereafter be sold or exchanged by the Secretary of the Navy, or by any officer of the Navy, which can be profitably used by reworking or otherwise in the construction or repair of vessels, their machinery, armor, armament, or equipment; but the same shall be stored and preserved for future use. And when any such old material cannot be profitably used as aforesaid, the same shall be appraised and sold at public auction after public notice and advertisement shall have been given according to law under such rules and regulations and in such manner as the said Secretary may direct: *Provided*, That the Secretary of the Navy is authorized, in his discretion, to sell, at the prices established for issue to naval activities, surplus scrap metals of the Navy, to schools, colleges, and universities for use in courses of instruction in vocational training: *Provided further*, That any costs incident to the transportation or delivery of such scrap metals shall be charged to the purchaser. The net proceeds arising from the sales of such old materials shall be paid into the Treasury. It shall be the duty of the Secretary of the Navy annually to file with the Committees on Armed Services in the Congress information as to the proceeds of all sales of materials, stores, and supplies, made under the provisions of this Act, and the expenses attending such sales.]

NOTE.—Unnecessary in view of sections 201 (c), 202, 203, and 204 of the act and section 410 of the National Security Act of 1947, as amended (63 Stat. 590).

(67) [That the Secretary of the Navy be, and he is hereby, authorized in his discretion to dispose of without charge, except for transportation and delivery, to properly accredited schools, colleges, and universities for use in aeronautical courses, any aircraft, aircraft parts, instruments, or engines which have been declared obsolete by the Navy Department; and provided that such aircraft, aircraft parts, and engines will not be used in actual flight.]

NOTE.—Unnecessary in view of sections 202 and 203 of the act.

(68) [That the Secretary of the Navy is hereby authorized to transfer such books as may not be required for the uses of the Navy Department to the Interior Department as the Secretary of the Interior may consider useful for educational purposes at the Indian school at Santa Fe, New Mexico, and other Indian schools throughout the United States.]

NOTE.—Unnecessary in view of section 202 of the act.

(69) [That the War Shipping Administration and the Maritime Commission are authorized to make available or transfer to any State or municipality maintaining a marine school or nautical branch in accordance with the Act of July 29, 1941 (Public Law 191, Seventy-seventh Congress, 55 Stat. 607), excess or surplus



material, supplies, and equipment for use in connection with the teaching and training of cadet-midshipmen, at such ports or other localities as may be designated by such State, without charge except for transportation and delivery of such material, supplies, or equipment.】

NOTE.—Unnecessary in view of sections 202 and 203 of the act.

(70) 【(11) The director shall have the same power, and shall be subject to the same limitations, in the sale of surplus or condemned supplies, material, and other personal property as now pertains to the Secretary of War. The Director is authorized to make regulations governing the disposal of articles produced by patients of such bureau in the course of their curative treatment, or to allow the patients to sell or to retain such articles.】

NOTE.—Obsolete.

(71) 【The Postmaster General is authorized to sell under such rules and regulations as he may prescribe any airplanes, parts thereof, field equipment, tools and other aviation material which have become unsuitable in the postal service or which will deteriorate and become unsuitable before it can be used. The proceeds of such sales shall be covered into the Treasury as "Miscellaneous receipts."】

NOTE.—Unnecessary in view of sections 202, 203, and 204 of the act.

(72) 【SEC. 8. That the Secretary of War may, in his discretion, deliver and turn over to the Postmaster General from time to time, and without charge therefor, for use in the Postal Service, such aeroplanes and automobiles or parts thereof as may prove to be, or as shall become, unsuitable for the purposes of the War Department but suitable for the use of the Postal Service; and the Postmaster General is hereby authorized to use the same, in his discretion, in the transportation of the mails and to pay the necessary expenses thereof out of the appropriation for inland transportation by steamboat or other power boat or by aeroplanes or star route.】

【SEC. 3. That the Secretary of War is authorized hereafter, in his discretion, to deliver and turn over to the Postmaster General, without charge therefor, from time to time, such motor vehicles, aeroplanes, and parts thereof, and machinery and tools to repair and maintain the same, as may be suitable for use in the Postal Service; and the Postmaster General is authorized to use the same in the transportation of the mails and to pay the necessary expenses thereof, including the replacement, maintenance, exchange, and repair of such equipment, out of any appropriation available for the service in which such vehicles or aeroplanes are used.】

NOTE.—Unnecessary in view of section 202 of the act.

(73) 【That the Director of Public Buildings and Public Parks of the National Capital be, and hereby is, authorized to employ in his discretion by contract or otherwise landscape architects, architects, engineers, artists, or other expert consultants, or firms, partnerships, or associations thereof, including the facilities, service, travel, and other expenses of their respective organizations so far as employed upon work for the said director, in accordance with the usual customs of the several professions and at the prevailing rates for such services, without reference to the civil-service requirements or to the Classification Act of 1923, as amended, and without regard to the restrictions of law governing the employment or salaries of regular employees of the United States, which said employment shall in no instance be for a longer period than one year; and that expenditures for such employment shall be construed to be included in any appropriation heretofore or hereafter authorized or appropriated for any work of the Director of Public Buildings and Public Parks of the National Capital.】

NOTE.—Unnecessary in view of section 208 of the act.

(74) 【The Superintendent of the State, War, and Navy Department Building may from time to time alter the distribution among the various office buildings under his direction and control of the employees allowed by law as he may find it necessary and proper to do.】

NOTE.—Unnecessary in view of section 106 of the act.

(75) SEC. 1798. All estimates for public buildings and grounds in charge of the Chief of Engineers shall be approved and submitted by the Secretary of War, through the Treasury Department, as other estimates, to the two Houses of Congress【; and all appropriations which have been or may be hereafter made for repairs or improvements of the public buildings and grounds in the District of Columbia, and now in charge of the Chief of Engineers, shall be expended under the direction of the Secretary of War】.

NOTE.—Obsolete.

(76) The President is hereby authorized and directed to designate from the Engineer Corps of the Army or the Navy, an officer well qualified for the purpose, who shall be detailed to act as superintendent of the completed portions of the State, War, and Navy Department building, under direction of the Secretaries of State, War, and Navy, who are hereby constituted a commission for the purposes of the care and supervision of said building, as hereinafter specified. [Said officer shall have charge of said building, and all the engines, machinery, steam and water supply, heating, lighting, and ventilating apparatus, elevators, and all other fixtures in said building, and all necessary repairs and alterations thereof, as well as the direction and control of such force of engineers, watchmen, laborers, and others engaged about the building or the apparatus under his supervision; of the cleaning of the corridors and water closets: of the approaches, side-walks, lawns, court-yards, and areas of the building, and of all rooms in the sub-basement which contain the boilers and other machinery, or so much of said rooms as may be indispensable to the proper performance of his duties as herein provided.]

NOTE.—Obsolete.

(77) The superintendent of the State, War, and Navy building shall also act as superintendent of the Navy Department Annex, or Mills Building, and the State Department Annex building.

[The superintendent of the State, War, and Navy Department buildings shall serve in a similar capacity in connection with these buildings.]

[The char force of the foregoing temporary office buildings and the temporary office buildings in Henry Park, which is employed and paid by the bureaus or offices occupying the said buildings, shall be subject to the supervision and control of the superintendent of the State, War, and Navy Department Building.]

NOTE.—Obsolete.

(78) [The maintenance and protection of all of the foregoing temporary buildings when completed shall be under the supervision and direction of the superintendent of the State, War, and Navy Department Buildings.]

[The maintenance and protection of the temporary office building erected by the War Department between Eighteenth and Nineteenth Streets and B Street and Virginia Avenue northwest shall be under the supervision of the superintendent of the State, War, and Navy Department Building.]

NOTE.—Obsolete.

(79) [The responsibility for the care, maintenance, and protection of the Interior Department Building, the Pension Office Building, the Patent Office Building, and the General Land Office Building, including the power, heating and lighting plant therein, and the disbursement of the funds appropriated therefor, together with all the machinery, tools, equipment, and supplies used, or for use, in connection therewith; shall be transferred on July 1, 1922, and thereafter, from the Secretary of the Interior to the superintendent of the State, War, and Navy Department Buildings: *Provided*, That the superintendent of the State, War, and Navy Department Buildings is hereby authorized to manufacture and sell at cost to the executive departments and independent establishments of the Government such quantities of ice, electricity, and steam as he may be able to manufacture or generate with the equipment that is available in the buildings under his supervision.]

NOTE.—Obsolete.

(80) [The responsibility for the care, maintenance, and protection of the building or buildings occupied by the Department of Commerce in the District of Columbia and the disbursement of the funds appropriated therefor, together with all the machinery, tools, equipment, and supplies used, or for use, in connection therewith, shall be transferred on July 1, 1923, from the Secretary of Commerce to the Superintendent of the State, War, and Navy Department Buildings.]

[The responsibility for the care, maintenance, and protection of the building or buildings occupied by the Department of Labor in the District of Columbia and the disbursement of the funds appropriated therefor, together with all the machinery, tools, equipment, and supplies used, or for use, in connection therewith, shall be transferred on July 1, 1923, from the Secretary of Labor to the Superintendent of the State, War, and Navy Department Buildings.]

[The responsibility for the care, maintenance, and protection of the building or buildings occupied by the Department of Justice in the District of Columbia and the disbursement of the funds appropriated therefor, together with all the machinery, tools, equipment, and supplies used, or for use, in connection therewith shall be transferred on July 1, 1923, from the United States Attorney General to the Superintendent of the State, War, and Navy Department Buildings.]

【The responsibility for the care, maintenance, and protection of the building or buildings occupied by the Civil Service Commission in the District of Columbia and the disbursement of the funds appropriated therefor, together with all the machinery, tools, equipment, and supplies used, or for use, in connection therewith, shall be transferred on July 1, 1923, from the United States Civil Service Commission to the Superintendent of the State, War, and Navy Department Buildings.】

【The responsibility for the care, maintenance, and protection of the building or buildings occupied by the Interstate Commerce Commission in the District of Columbia and the disbursement of the funds appropriated therefor, together with all the machinery, tools, equipment, and supplies used, or for use, in connection therewith, shall be transferred on July 1, 1923, from the Interstate Commerce Commission to the Superintendent of the State, War, and Navy Department Buildings.】

NOTE.—Obsolete.

(81) 【On and after July 1, 1924, the Superintendent of the State, War, and Navy Department Buildings shall be responsible for the care, maintenance, and protection of the buildings known as Treasury Department Annex Numbered 2, located at Fourteenth and B Streets northwest, the Winder Building, located at Seventeenth and F Streets northwest, and the Cox Building, located at 1709 New York Avenue northwest, all in the city of Washington, District of Columbia, including the furnishing of heat, gas, and electricity therein; and any funds appropriated therefor, together with all machinery, tools, equipment, and supplies used, or for use, in connection therewith, shall be transferred on July 1, 1924, from the Secretary of the Treasury to the Superintendent of the State, War, and Navy Department Buildings.】

NOTE.—Obsolete.

(82) SEC. 1812. The Chief of Engineers shall, as Superintendent of Public Buildings and Grounds, and as Superintendent of the Washington Aqueduct, annually submit the following reports to the Secretary of War in time to accompany the annual message of the President to Congress, namely:

【First. A report of his operations for the preceding year, with an account of the manner in which all appropriations for public buildings and grounds have been applied, including a statement of the number of public lots sold, or remaining unsold each year, of the condition of the public buildings and grounds, and of the measures necessary to be taken for the care and preservation of all public property under his charge.】

NOTE.—Unnecessary in view of section 212 of the act.

(83) \* \* \* 【Provided, That the Superintendent of Meters of the Department of the Interior shall hereafter take the statement of the meters of the several department buildings in the city of Washington, and render to the General Accounting Office the consumption of gas and electricity each month in said buildings respectively.】

NOTE.—Obsolete.

(84) For the care of the fish ponds in the Monument grounds, the ground around them and the buildings upon the same, during the fiscal year ending June thirtieth, nineteen hundred and seven, three hundred dollars: 【Provided, That when said ponds, ground, and buildings, are abandoned by the Bureau of Fisheries, the officer in charge of public buildings and grounds is authorized to assume control of them and of any balance of the sum hereby appropriated that may remain unexpended at the date of said transfer.】

NOTE.—Obsolete.

(85) 【Government Fuel Yards: The Secretary of the Interior is authorized and directed to establish in the District of Columbia storage and distributing yards for the storage of fuel for the use of and delivery to all branches of the Federal service and the municipal government in the District of Columbia and such parts thereof as may be situated immediately without the District of Columbia and economically can be supplied therefrom, and to select, purchase, contract for, and distribute all fuel required by the said services. Authority is granted the Secretary of the Interior, in connection with the establishment of the said yards, to procure by purchase, requisition for immediate use, condemnation, or lease for such period as may be necessary, land, wharves, and railroad trestles and sidings requisite therefor. All branches of the Federal service and the municipal government in the District of Columbia, from and after the establishment of the said fuel yards, shall purchase all fuel from the Secretary of the Interior and make payment therefor from applicable appropriations at the actual cost thereof to the United States, including all expenses connected therewith.】

\* \* \* \* \*



\* \* \* **[**: *Provided further*, That no part of any moneys herein or hereafter appropriated shall be used for the purpose of taking over or in any way interfering with the yards or coal dumps or other facilities for storage and distribution of coal that have been used and occupied in the past year by coal dealers for supplying the general public**]**.

NOTE.—Unnecessary in view of sections 109, 201, and 602 (e) of the act, and obsolete.

(86) **[**Hereafter the provisions of the Sundry Civil Act, approved July 1, 1918, providing for the establishment of a Government fuel yard in the District of Columbia, shall not apply to the fuel required for the Naval Establishment, except the naval hospital, in the District of Columbia.**]**

NOTE.—Unnecessary in view of the repeal proposed by the preceding item hereof.

(87) **[**The Secretary of the Interior is authorized to contract for the purchase of fuel for the Government fuel yard in advance of the availability of the appropriation for the payment thereof. Such contracts, however, shall not exceed the necessities of the current year;**]**

NOTE.—Unnecessary in view of sections 109 and 310 of the act.

(88) **[**All appropriations herein and hereafter made for the maintenance and operation of the fuel yard mentioned may also be used and expended for the purchase or condemnation of land for fuel yard and garage purposes as well as for the construction of a garage building thereon, as above provided for, and shall continue available for those purposes until expended: *Provided, however*, That no moneys expended for those purposes shall be considered as expenditures to be returned to such appropriations:**]**

\* \* \* \* \*

**[**Hereafter the various branches of the Federal service and the municipal government in the District of Columbia shall make payment of accounts rendered against them by the Government fuel yard for fuel furnished them by depositing the proper amount directly to the credit of the Treasurer of the United States for the credit of the appropriation "Maintenance and operation, United States Government fuel yard," and duplicate certificates of deposits issued therefor shall be promptly forwarded by the depositors to the Government fuel yard.**]**

NOTE.—Unnecessary in view of section 109 of the Act, and obsolete.

(89) **[**Hereafter the Secretary of the Interior may have sand, gravel, stone, and other material hauled for the municipal government of the District of Columbia and for branches of the Federal service in the District of Columbia, whenever it may be practicable and economical to have such work performed by using trucks of the Government fuel yards not needed at the time for the hauling of fuel. Payment for such work shall be made on the basis of the actual cost to the Government fuel yards.**]**

NOTE.—Unnecessary in view of sections 109, 201, and 602 (e) of the act.

(90) \* \* \* **[**: and hereafter the purchase of specially prepared paper for the duplication of plans, and such other incidental expenses and supplies as the Secretary of the Treasury may deem necessary and specially order for the use of the office of the Supervising Architect, exclusively for the purpose of carrying into effect the various appropriations for public buildings, shall be paid for from and equitably charged against such appropriations, in accordance with existing practice**]**.

NOTE.—Obsolete.

(91) **[**Sec. 21. That in all contracts entered into with the United States, after the date of the approval of this Act, for the construction or repair of any public building or public work under the control of the Treasury Department, a stipulation shall be inserted for liquidated damages for delay; and the Secretary of the Treasury is hereby authorized and empowered to remit the whole or any part of such damages as in his discretion may be just and equitable; and in all suits hereafter commenced on any such contracts or on any bond given in connection therewith it shall not be necessary for the United States, whether plaintiff or defendant, to prove actual or specific damages sustained by the Government by reason of delays, but such stipulation for liquidated damages shall be conclusive and binding upon all parties.**]**

NOTE.—Unnecessary in view of section 10 of Public Law 754, Eighty-first Congress. The Comptroller General concurs (29 Comp. Gen. 524).

(92) **[**That contracts shall be made by the Secretary of the Treasury for furnishing and putting in heating apparatus for public buildings, upon advertisements in some leading newspaper in the State where each building is situated, containing



specifications of the kind of heating apparatus required, and such contracts shall be made with the lowest responsible bidder therefor.】

NOTE.—Unnecessary in view of sections 302 and 303 of the act.

(93) 【The Supervising Architect of the Treasury shall hereafter include in his annual report statements showing, under the following titles, the number of custom-houses, court-houses, post-offices, and buildings used for two or more of said objects: The actual cost of construction, cost of alterations and repairs, cost of sites, and date of purchase, as to each of said buildings, and the aggregate of such expenditures under each of said titles; also the same information, under their respective titles, as to marine hospitals, quarantine stations, and all other buildings under the control of the Treasury Department.】

NOTE.—Unnecessary in view of section 212 of the act.

(94) 【SEC. 5. The Commissioner of Public Buildings is authorized to maintain a survey of the use of Government-owned and leased office space in the larger metropolitan centers and the District of Columbia, including adjacent areas, and to study and determine the extent to which consolidation, reassignment, and reallocation of office space, including the cancellation of uneconomical leases, would be advantageous to the Government. Where he finds uneconomical use of space in buildings operated or leased by the Public Buildings Administration, he shall direct and prescribe its economical use or its surrender. Where such conditions are found to exist in space operated or leased by others than the Public Buildings Administration, he shall report his findings to those responsible therefor to the end that economical use of office space and cooperation between all agencies of the Government on space problems may be achieved. This section shall not apply to the Executive Mansion and Office of the President, buildings under the jurisdiction of the Regents of the Smithsonian Institution, buildings in or under the legislative branch of the Government, buildings structurally or domestically maintained by the Architect of the Capitol, or to buildings operated by the Post Office Department.】

NOTE.—Unnecessary in view of section 206 of the act.

(95) 【SEC. 3749. The Solicitor of the Treasury is authorized, with the approval of the Secretary of the Treasury, to rent, for a period not exceeding three years, or to sell, at public sale, any unproductive lands, or other property of the United States acquired under judicial process or otherwise in the collection of debts, after advertising the time, place, and conditions of such sale for three months preceding the same in some newspaper published in the vicinity thereof, in such manner and upon such terms as may, in his judgment, be most advantageous to the public interest.】

NOTE.—Unnecessary in view of section 202 and 203 of the act.

(96) 【That authority be, and is hereby, given to the Secretary of the Treasury to lease, at his discretion for a period not exceeding five years, such unoccupied and unproductive property of the United States under his control, for the leasing of which there is no authority under existing law, and such leases shall be reported annually to Congress.】

NOTE.—Unnecessary in view of sections 202 and 203 of the act.

(97) \* \* \* 【: *Provided further*, That hereafter typewriters and computing machines transferred to the General Supply Committee as surplus, where such machines have become unfit for further use, may, in the discretion of the Secretary of the Treasury, be issued to other Government departments and establishments at exchange prices quoted in the current general schedule of supplies or sold commercially.】

NOTE.—Unnecessary in view of sections 202 and 203 of the act.

(98) 【That section 3709 of the Revised Statutes shall not be construed to apply to any purchases or services authorized by any appropriation Act for the herein-after enumerated departments and independent offices—

【(a) Where the aggregate amount involved does not exceed the sum of \$25—

- 【(1) The Civil Service Commission.
- 【(2) The Department of Commerce.
- 【(3) The Department of Justice.

【(b) Where the aggregate amount involved does not exceed the sum of \$50—

- 【(1) The Administrative Office of the United States Courts.
- 【(2) The Department of Agriculture.
- 【(3) The Farm Credit Administration.
- 【(4) The Federal Bureau of Investigation in the field.
- 【(5) The Federal Home Loan Bank Board.

- [(6) The Federal Power Commission.
- [(7) The Federal Trade Commission.
- [(8) The General Accounting Office.
- [(9) The Interstate Commerce Commission.
- [(10) The National Advisory Committee for Aeronautics.
- [(11) The National Archives.
- [(12) The National Labor Relations Board.
- [(13) The Navy Department or its bureaus and offices.
- [(14) The Railroad Retirement Board.
- [(15) The Securities and Exchange Commission.
- [(16) The Tariff Commission.
- [(17) The Treasury Department.
- [(18) The Veterans' Administration.

[(c) Where the aggregate amount involved does not exceed the sum of \$100—

- [(1) The Civil Aeronautics Board.
- [(2) The Department of Labor.
- [(3) The Federal Loan Agency.
- [(4) The Federal Works Agency.
- [(5) The Maritime Labor Board.
- [(6) The Rural Electrification Administration.
- [(7) The Smithsonian Institution.
- [(8) The United States Maritime Commission.
- [(9) The District of Columbia.

[(d) Where the aggregate amount involved does not exceed the sum of \$500—

- [(1) The United States Section of International Boundaries Commission, United States and Mexico.]

NOTE.—Unnecessary in view of section 602 (f) of the act.

(99) [Section 3709 of the Revised Statutes of the United States (41 U. S. C. 5) shall not be construed to apply to any purchase or service rendered for the office of Administrator of Civil Aeronautics when the aggregate amount involved does not exceed \$100.]

[Section 3709 of the Revised Statutes of the United States (41 U. S. C. 5) shall not be construed to apply to any purchase or service rendered for the Weather Bureau when the aggregate amount involved does not exceed \$50.]

\* \* \* [ : *Provided further*, That section 3709 of the Revised Statutes shall not be construed to apply to any purchase or service rendered for the Immigration and Naturalization Service in the field when the aggregate amount involved does not exceed \$50.]

\* \* \* [ : *Provided*, That section 3709 of the Revised Statutes (41 U. S. C. 5) shall not be construed to apply to any purchase or service for the Administrative Office of the United States Courts when the aggregate amount involved does not exceed the sum of \$50.]

NOTE.—Unnecessary in view of section 602 (f) of the act.

(100) \* \* \* [ : *Provided*, That any appropriations under the control of the Librarian of Congress may be expended without reference to section 3709 of the Revised Statutes (41 U. S. C. 5) in any case when the total amount of the purchase involved does not exceed the sum of \$100.]

NOTE.—Unnecessary in view of section 602 (f) of the act.

(101) \* \* \* [ : *Provided further*, That section 3709 of the Revised Statutes shall not be construed to apply to any purchase or service rendered for the Immigration and Naturalization Service in the field when the aggregate amount involved does not exceed \$100.]

[Section 3709 of the Revised Statutes of the United States (41 U. S. C. 5) shall not be construed to apply to any purchase or service rendered for the Weather Bureau when the aggregate amount involved does not exceed \$50.]

\* \* \* [ : *Provided*, That section 3709 of the Revised Statutes (41 U. S. C. 5) shall not be construed to apply to any purchase or service for the Administrative Office of the United States Courts when the aggregate amount involved does not exceed the sum of \$50.]

NOTE.—Unnecessary in view of section 602 (f) of the act.

(102) \* \* \* [ : *Provided*, That any appropriations under the control of the Librarian of Congress may be expended without reference to section 3709 of the Revised Statutes (41 U. S. C. 5) in any case when the total amount of the purchase involved does not exceed the sum of \$100.]

\* \* \* [ *Provided*, That section 3709 of the Revised Statutes (41 U. S. C. 5) shall not be construed to apply to any purchase or service for the Administrative Office of the United States Courts when the aggregate amount involved does not exceed the sum of \$50].

NOTE.—Unnecessary in view of section 602 (f) of the act.

(103) \* \* \* [ *Provided*, That any appropriations under the control of the Librarian of Congress may be expended without reference to section 3709 of the Revised Statutes (41 U. S. C. 5) in any case when the total amount of the purchase involved does not exceed the sum of \$100].

\* \* \* [ *Provided*, That section 3709 of the Revised Statutes (41 U. S. C. 5) shall not be construed to apply to any purchase or service for the Administrative Office of the United States Courts when the aggregate amount involved does not exceed the sum of \$50].

NOTE.—Unnecessary in view of section 602 (f) of the act.

(104) \* \* \* [ *Provided*, That any appropriations under the control of the Librarian of Congress may be expended without reference to section 3709 of the Revised Statutes (41 U. S. C. 5) in any case when the total amount of the purchase involved does not exceed the sum of \$100].

NOTE.—Unnecessary in view of section 602 (f) of the act.

(105) \* \* \* [ *Provided*, That any appropriations under the control of the Librarian of Congress may be expended without reference to section 3709 of the Revised Statutes (41 U. S. C. 5) in any case when the total amount of the purchase involved does not exceed the sum of \$100].

NOTE.—Unnecessary in view of section 602 (f) of the act.

(106) UNITED STATES GEOLOGICAL SURVEY.

\* \* \* [ *Provided*, That hereafter the purchase of supplies or the procurement of services outside the District of Columbia may be made in open market in the manner common among businessmen when the aggregate amount of the purchase does not exceed \$50].

NOTE.—Unnecessary in view of section 602 (f) of the act.

(107) [SEC. 2. Section 3709 of the Revised Statutes shall not be construed to apply under any appropriation Act to the following departments and independent offices under the circumstances specified herein:

[(b) Botanic Garden—to the purchase of supplies and equipment and the procurement of services made in the open market in the manner common among businessmen, when the aggregate amount of the purchase or the services does not exceed \$50 in any instance.

[(c) Botanic Garden—to the purchase of plants, trees, shrubs, and other nursery stock in the sum of \$300 at any one time.

[(d) Bureau of the Budget—to any purchases of office equipment and supplies when the amount involved in any case does not exceed \$50.

[(e) The Bureau of Foreign and Domestic Commerce—to purchases of supplies and equipment or the procurement of services in foreign countries made in the open market in the manner common among businessmen when the aggregate amount of the purchase or service does not exceed \$100 in any instance.

[(g) Department of the Interior, the bureaus and offices thereof, Howard University, and the Columbia Institution for the Deaf, at the seat of the government, as well as those located in the field outside the District of Columbia—to the purchase of supplies and equipment or the procurement of services made in open markets in the manner common among businessmen when the aggregate amount of the purchase or the service does not exceed \$100 in any instance.

[(i) Federal Communications Commission—to any purchase or exchange of instruments when the aggregate amount involved does not exceed \$25.

[(k) Medical Department of the Army—to the purchase of medicines and medical supplies.

[(l) Social Security Board—to any purchase when the aggregate amount involved does not exceed \$100.

[(m) Bureau of Mines—to any purchase or service rendered in the investigation of domestic sources of mineral supply, when the amount involved does not exceed \$500.

[(n) Bureau of Reclamation—to the purchase of supplies and equipment or the procurement of services for the Bureau at the seat of government and elsewhere made in the open market in the manner common among businessmen, when the aggregate payment for the purchase or the service does not exceed \$300 in any instance.]

NOTE.—Unnecessary in view of section 602 (f) of the act and section 2 (c) (7) of the Armed Services Procurement Act of 1947 (62 Stat. 21).

(108) BUREAU OF MINES.

\* \* \* \* \*  
\* \* \* [ : *Provided*, That section 3709 of the Revised Statutes (41 U. S. C. 5) shall not be construed to apply to any purchase or service rendered when the amount involved does not exceed the sum of \$500;]

NOTE.—Unnecessary in view of section 602 (f) of the act.

(109) [Sec. 7. Hereafter no department or other Government establishment shall dispose of any typewriting machines by sale, exchange, or as part payment for another typewriter, that has been used less than three years.]

NOTE.—Unnecessary in view of sections 201 (c), 202 and 203 of the act.

(110) [(b) In January, April, July, and October of each year, the Director shall submit to the Senate and House of Representatives a quarterly progress report on the exercise of his duties and authority under this Act, the status of contract terminations, termination settlements, and interim financing and such other pertinent information on the administration of the Act as will enable the Congress to evaluate its administration and the need for amendments and related legislation.]

NOTE.—Unnecessary in view of section 212 of the act.

(111) [(b) The Director shall require the Government agencies performing functions under this Act to prepare such information and reports regarding terminations of war contracts, settlements of termination claims, and interim financing, as he deems necessary to assist him in appraising their operations or to assist him or other Government agencies in performing their functions under this Act, and may prescribe the terms and conditions upon which such information and reports shall be made available to other Government agencies. The Director may require any Government agency to furnish such information under its control as he deems necessary for the performance of his functions under this Act, but any such agency, in its discretion, may furnish any such information deemed by it to affect the national security only to the Director himself.]

NOTE.—Unnecessary in view of sections 205 (c) and 206 (a) of the act.

(112) UNITED STATES HOUSING AUTHORITY

\* \* \* \* \*  
[(b) The provisions of section 3709 of the Revised Statutes (U. S. C., 1934 ed., title 41, sec. 5) shall apply to all contracts of the Authority for services and to all of its purchases of supplies except when the aggregate amount involved is less than \$300.]

NOTE.—Unnecessary in view of section 602 (f) of the act.

(113) [Sec. 2. Title V of such Act, as amended, is amended by adding at the end thereof the following new section:

["Sec. 504. (a) At any educational institution including any educational facility operated by the Indian Service where the Commissioner of Education shall find that there exists or impends an acute shortage of educational facilities, other than housing, required for persons engaged in the pursuit of courses of training or education under title II of the Servicemen's Readjustment Act of 1944, as amended, the Federal Works Administrator is authorized, upon request of such educational institution, to provide such educational facilities (1) by the use or reuse (including disassembling, transporting, and reerecting) of structures or facilities (including improvements, equipments, materials, or furnishings but not including site acquisition and preparation or the installation of streets and utility mains) under the jurisdiction or control of any Federal agency which are no longer required by such agency and which, in the determination of said Administrator can be utilized to provide the needed educational facilities and which, in the determination of the War Assets Administrator are available for such use or reuse and (2) by connecting utilities from buildings to mains. Upon request of the Federal Works Administrator any Federal agency having jurisdiction or control of any such structures or facilities may, with the approval of the War Assets Administrator, notwithstanding any other provisions of law, transfer such structures or facilities to the Federal Works Administrator, without reimbursement, for such use or reuse. Without regard to the provisions of any other



law, said Administrator is authorized to transfer to any educational institution any educational facilities provided for such educational institution under this subsection.

["(b) In carrying out the provisions of this section, said Administrator is authorized to exercise all the powers contained in sections 202 (a) and (b) and title III of this Act, subject to all the limitations contained in sections 203 (a) and (b) and title III of this Act: *Provided*, That nothing herein shall exclude the Indian Service from participation in the educational benefits provided by this Act.

["(c) To carry out the provisions of this section, and for administrative expenses in connection therewith, any funds made available under title II of this Act are hereby made available, and for such purposes there is also authorized to be appropriated the sum of \$100,000,000.

["(d) Nothing in this section 504 shall affect the transfer to the National Housing Administrator of any structures or facilities requisitioned by him pursuant to section 502 (b) of this Act, for housing for veterans and distressed families of servicemen prior to any request therefor made by the Federal Works Administrator pursuant to the authority contained in said section 504.

["(e) Except with respect to contracts previously entered into and court proceedings then pending, this section shall cease to be effective on the last date on which courses of education or training may be provided under title II of the Servicemen's Readjustment Act of 1944, as amended.

["(f) As used in this Act the term 'educational institution' shall mean (a) any public educational institution or (b) any private educational institution, no part of the net earnings of which shall inure to the benefit of any private shareholder or individual.

["(g) Nothing in this section shall authorize the transfer of any property to the Federal Works Administrator until the preference to veterans provided by section 16 of the Surplus Property Act of 1944, as amended, has been fully satisfied in accordance with its terms; and for the purposes of such section 16 transfers to such Administrator under this section shall not be considered as transfers to a Government agency."]

NOTE.—Obsolete.

(114) [That whenever, in the opinion of the President of the United States, the lands, or any portion of them, included within the limits of any military reservation heretofore or hereafter declared, have become or shall become useless for military purposes, he shall cause the same or so much thereof as he may designate, to be placed under the control of the Secretary of the Interior for disposition as hereinafter provided, and shall cause to be filed with the Secretary of the Interior a notice thereof.

[SEC. 2. That the Secretary of the Interior may, if in his opinion the public interests so require, cause the said lands, or any part thereof, in such reservations, to be regularly surveyed, or to be subdivided into tracts of less than forty acres each, and into town lots, or either, or both. He shall cause the said lands so surveyed and subdivided, and each tract thereof, to be appraised by three competent and disinterested men to be appointed by him, and who shall, after having each been first duly sworn to impartially and faithfully execute the trust reposed in them, appraise the said lands, subdivisions, and tracts, and each of them, and report their proceedings to the Secretary of the Interior for his action thereon. If such appraisal be disapproved, the Secretary of the Interior shall again cause the said lands to be appraised as before provided; and when the appraisal has been approved he shall cause the said lands, subdivisions, and lots to be sold at public sale, to the highest bidder for cash, at not less than the appraised value thereof, nor less than one dollar and twenty-five cents per acre, first having given not less than sixty days' public notice of the time, place, and terms of sale, immediately prior to such sale, by publication in at least two newspapers having a general circulation in the county or section of county where the lands to be sold are situate; and any lands, subdivisions, or lots remaining unsold may be reoffered for sale at any subsequent time in the same manner, at the discretion of the Secretary of the Interior; and if not sold at such second offering for want of bidders, then the Secretary of the Interior may sell the same at private sale, for cash, at not less than the appraised value, nor less than one dollar and twenty-five cents per acre: *Provided*, That any settler who was in actual occupation of any portion of any such reservations prior to the location of such reservation or settled thereon prior to January first, eighteen hundred and eighty-four, in good faith for the purpose of securing a home and of entering the same under the general laws and has continued in such occupation to the present time, and is by law en-

titled to make a homestead entry shall be entitled to enter the land so occupied, not exceeding one hundred and sixty acres in a body, according to the Government surveys and subdivisions: *Provided further*, That said lands were subject to entry under the public land laws at the time of their withdrawal: *And provided further*, That all patents heretofore issued, and approved State selections, covering any lands within the old Fort Lyon Military Reservation, in the State of Colorado, declared by executive order of August eighth, eighteen hundred and sixty-three, are hereby confirmed; and the rights of all entrymen and settlers on said reservation to acquire title under the homestead, preemption, or timber culture laws are hereby recognized and affirmed to the extent they would have attached had public lands been settled upon or entered; and such portions of said reservation as shall not have been entered or settled upon as aforesaid shall be disposed of by the Secretary of the Interior under the provisions of this act, including lands that may be abandoned by settlers or entrymen.

[SEC. 3. That the Secretary of the Interior shall cause any improvements, buildings, building materials, and other property which may be situate upon any such lands, subdivisions or lots not heretofore sold by the United States authorities, to be appraised in the same manner as hereinbefore provided for the appraisements of such lands, subdivisions, and lots, and shall cause the same, together with the trust or lot upon which they are situate, to be sold at public sale, to the highest bidder for cash, at not less than the appraised value of such land and improvements, first giving the sixty days' notice as hereinbefore provided; or he may, in his discretion, cause the improvements to be sold separately, at public sale for cash, at not less than the appraised value, to be removed by the purchaser within such time as may be prescribed, first giving the sixty days' public notice before provided; and if in any case the lands and improvements, or the improvements separately, as the case may be, are not sold for want of bidders, then the Secretary of the Interior may, in his discretion, cause the same to be reoffered for sale, at any subsequent time, in the same manner as above provided, or may cause the same to be sold at private sale for not less than the appraised value: *Provided*, That where buildings or improvements have been heretofore sold by the United States authorities the land upon which such buildings or improvements are situate not exceeding the smallest subdivision or lot provided for by this act upon the reservation on which said buildings are situate shall be offered for sale to the purchaser of said improvements and buildings at the appraised value of the lands and if said purchaser shall fail for sixty days after notice to complete said purchase of lands the same shall be sold under the provisions of this act: *And provided further*, That the proceeds of the military reservation lands sold on Bois Blanc Island near to Fort Mackinaw military reservation shall be set apart as a separate fund for the improvement of the National Park on the Island of Mackinaw, Michigan, under the direction of the Secretary of War.]

NOTE.—Unnecessary in view of sections 202 and 203 of the act, and obsolete.

(115) [SEC. 95. Heads of Departments are authorized to exchange surplus documents for such other documents and books as may be required by them, when the same can be done to the advantage of the public service.]

NOTE.—Unnecessary in view of sections 201 (c), 202, and 203 of the act.

(116) For purchase of books, and expenses of transporting publication of patents issued by the Patent Office to foreign Governments, three thousand dollars: *Provided*, That hereafter the Official Gazette may be exchanged for publications of a scientific or useful character published in this or any foreign country adapted to the needs and uses of the scientific library of the Patent Office.]

NOTE.—Unnecessary in view of section 201 (c) of the act.

(117) That this Act may be cited as the "National Archives Trust Fund Board Act".

\* \* \* \* \*

[SEC. 10. The Board shall submit to the Congress an annual report of the moneys, securities, and other personal property received and held by it and of its operations.]

NOTE.—Unnecessary in view of section 212 of the act.

(118) [SEC. 12. The Archivist shall transmit to Congress at the beginning of each regular session reports as to the records authorized for disposal under the provisions of section 7 of this Act and as to the records disposed of under the provisions of sections 10 and 11 of this Act.]

NOTE.—Unnecessary in view of section 212 of the act.

(119) \* \* \* [; and all reindeer owned by the United States in Alaska shall as soon as practicable be turned over to missions in or natives of Alaska, to be held

and used by them under such conditions as the Secretary of the Interior shall prescribe. The Secretary of the Interior may authorize the sale of surplus male reindeer and make regulations for the same. The proceeds of such sale shall be turned into the Treasury of the United States.】

NOTE.—Obsolete.

(120) \* \* \* 【: *Provided*, That the Commissioner of Education is authorized to sell such of the male reindeer belonging to the Government as he may deem advisable and to use the proceeds in the purchase of female reindeer belonging to missions and in the distribution of reindeer to natives in those portions of Alaska in which reindeer have not yet been placed and which are adapted to the reindeer industry.】

NOTE.—Obsolete.

(121) \* \* \* 【: *Provided*, That the Commissioner of Education is authorized to sell such of the male reindeer belonging to the Government as he may deem advisable and to use the proceeds in the purchase of female reindeer belonging to missions and in the distribution of reindeer to natives in those portions of Alaska in which reindeer have not yet been placed and which are adapted to the reindeer industry.】

NOTE.—Obsolete.

(122) \* \* \* 【: *Provided*, That the Commissioner of Education is authorized to sell such of the male reindeer belonging to the Government as he may deem advisable and to use the proceeds in the purchase of female reindeer belonging to missions and in the distribution of reindeer to natives in those portions of Alaska in which reindeer have not yet been placed and which are adapted to the reindeer industry.】

NOTE.—Obsolete.

(123) \* \* \* 【: *Provided*, That the Commissioner of Education is authorized to sell such of the male reindeer belonging to the Government as he may deem advisable and to use the proceeds in the purchase of female reindeer belonging to missions and in the distribution of reindeer to natives in those portions of Alaska in which reindeer have not yet been placed and which are adapted to the reindeer industry.】

NOTE.—Obsolete.

(124) \* \* \* 【: *Provided*, That the Commissioner of Education is authorized to sell such of the male reindeer belonging to the Government as he may deem advisable and to use the proceeds in the purchase of female reindeer belonging to missions and in the distribution of reindeer to natives in those portions of Alaska in which reindeer have not yet been placed and which are adapted to the reindeer industry.】

NOTE.—Obsolete.

(125) \* \* \* 【: *Provided*, That the Commissioner of Education is authorized to sell such of the male reindeer belonging to the Government as he may deem advisable and to use the proceeds in the purchase of female reindeer belonging to missions and in the distribution of reindeer to natives in those portions of Alaska in which reindeer have not yet been placed and which are adapted to the reindeer industry.】

NOTE.—Obsolete.

(126) 【SEC. 2. That the Secretary of the Interior is hereby instructed to assign to the Bureau of Education any unoccupied buildings in Alaska which are in his custody at abandoned military posts or any other buildings controlled by the Department of the Interior, for use by the Bureau of Education as industrial schools or hospitals that are held by him to be necessary or suitable for such purposes; and the Secretary of War is hereby authorized to transfer to the Secretary of the Interior any unoccupied buildings in Alaska that in the opinion of the Secretary of War may be dispensed with by the War Department, to be used for industrial school or hospital purposes that are held by him to be necessary or suitable for such purposes: *Provided*, That the Secretary of the Interior is hereby authorized to dismantle and remove any of the aforementioned buildings to such locations as may be decided upon for the erection of industrial schools.】

NOTE.—Obsolete.

(127) 【That when any lands included within the limits of abandoned or useless military reservations, including Signal Corps stations or rights of way, and not otherwise withdrawn or used for a public purpose, in the Territory of Alaska, have been or may be placed hereafter by order of the President under the jurisdiction of the Secretary of the Interior for disposition, the Secretary may proceed to cause the survey, appraisal, and disposition of such lands or any portions thereof in the manner provided by the Act of July 5, 1884 (Twenty-third Statutes

at Large, page 103), or the Secretary may, in his discretion, direct the restoration of such lands or any portions thereof to disposition under the public land laws applicable to the Territory of Alaska: *Provided*, That any person locating, entering, or acquiring title to any such lands shall, in addition to the regular fees, commissions, and purchase price of the land, pay the appraised price of any improvements placed thereon by the Government.

[SEC. 2. That the Secretary of the Interior is hereby authorized to prescribe all necessary rules and regulations for administering the provisions of this Act.]

NOTE.—Unnecessary in view of sections 202 and 203 of the act.

(128) [(f) The Secretary of the Interior shall be authorized to lease or to sell upon such terms as he may deem advantageous to the Government of the United States any property of the United States under his administrative supervision in the Virgin Islands not needed for public purposes.]

NOTE.—Unnecessary in view of sections 202 and 203 of the act.

(129) [That (a), notwithstanding the provisions of the Surplus Property Act of 1944, as amended, the War Assets Administrator is authorized to dispose of, without charge except for disassembling, transportation and delivery, to States, their political subdivisions and instrumentalities; to public and governmental institutions; to nonprofit or tax-supported educational institutions and organizations; to charitable eleemosynary institutions and organizations; to nonprofit associations, groups, institutions, and organizations designated to promote, support, sponsor, or encourage the participation of the youth of the country in athletics, sports, and games any surplus personal property which is suitable for use in athletics, sports, or games by the youth of the country.

[(b) To aid in making surplus athletic equipment available to the youth of the country through associations, groups, organizations, and institutions sponsoring or promoting the participation of youth in athletics, sports, and games, any Government agency having a surplus of personal property which would be suitable for the purposes of this Act may declare such surplus to the War Assets Administrator who shall have authority to dispose of same in accordance with the provisions of this Act.

[(c) Any surplus property suitable for use by the youth of the country in athletics, sports, and games, or any property owned by any agency of the Government hereafter declared surplus which may be so used, shall not be disposed of in any manner other than as provided in this Act unless the Administrator has given sufficient notice of such property available for disposal as herein provided and no request for such property has been received.

[SEC. 2. (a) Any property so transferred shall be without restriction and without charge to the transferee except for disassembling, transporting, and delivering such property. The United States shall incur no obligation or liability in connection with the disassembling, transporting, or delivery of any property disposed of pursuant to this Act.

[(b) The War Assets Administrator is hereby authorized to prescribe, amend, and rescind such rules and regulations as he may deem necessary to carry out the provisions of this Act.

[(c) The War Assets Administrator is hereby authorized to determine the qualifications of the transferees under the provisions of this Act and his decision shall be final.

[(d) The War Assets Administrator is hereby authorized to effect transfers under the provisions of this Act without regard to priority as between the transferees under this Act or any other law, any law to the contrary notwithstanding.]

NOTE.—Unnecessary in view of sections 202 and 203 of the act.

(130) [SEC. 208. The Archivist shall make to the Congress, at the beginning of each regular session, a report for the preceding fiscal year as to the Franklin D. Roosevelt Library. Such report shall include a detailed statement of all accessions, all dispositions of historical material, and all receipts and expenditures on account of the said Library.]

NOTE.—Unnecessary in view of section 212 of the act.

(131) [SEC. 5. Hereafter the Commissioners and other responsible officials, in expending appropriations for the District of Columbia, so far as possible, shall purchase material, supplies, including food supplies and equipment, when needed and funds are available, in accordance with the regulations and schedules of the Procurement Division of the Treasury Department or from various services of the Government of the United States possessing materials, supplies, passenger-carrying and other motor vehicles, and equipment no longer required. Surplus articles purchased from the Government, if the same have not been used, shall be



paid for at a reasonable price, not to exceed actual cost, and if the same have been used, at a reasonable price based upon length of usage.】

NOTE.—Unnecessary in view of sections 109 (f) and 201 (b) of the act.

(132) [Sec. 4. The Commissioners and other responsible officials, in expending appropriations provided for the expenses of the government of the District of Columbia, so far as possible, shall purchase material, supplies, including food supplies, and equipment, when needed and funds are available, in accordance with the regulations and schedules of the Procurement Division of the Treasury Department or from various services of the Government of the United States possessing materials, supplies, passenger-carrying and other motor vehicles, and equipment no longer required. Surplus articles purchased from the Government, if the same have not been used, shall be paid for at a reasonable price, not to exceed actual cost, and if the same have been used, at a reasonable price based upon length of usage. The various services of the Government of the United States are authorized to sell such surplus articles to the District under the conditions specified, and the proceeds of such sales shall be covered into the Treasury as miscellaneous receipts: *Provided*, That this section shall not be construed to amend, alter, or repeal the Executive order of December 3, 1918, concerning the transfer of office materials, supplies, and equipment in the District of Columbia falling into disuse because of the cessation of war activities.】

NOTE.—Unnecessary in view of sections 109 (f) and 201 (b) of the act.

## SECTION 2

(1) Any books of a miscellaneous character no longer required for the use of such department, bureau, or commission, and not deemed an advisable addition to the Library of Congress, shall, if appropriate to the uses of the Free Public Library of the District of Columbia, *subject to applicable regulations under the Federal Property and Administrative Services Act of 1949, as amended*, be turned over to that library for general use as a part thereof.

NOTE.—The addition by this section of the words “subject to applicable regulations under the Federal Property and Administrative Services Act of 1949, as amended” to the enumerated provisions of law will remove doubt and ambiguity and problems of legal interpretation concerning the authority of the President and the Administrator of General Services under section 205 of the act to issue regulations under the act affecting the enumerated provisions.

(2) “That *subject to applicable regulations under the Federal Property and Administrative Services Act of 1949, as amended*, the Secretary of the Army, the Secretary of the Air Force, the Secretary of the Navy and the Secretary of the Treasury are each hereby authorized, in their discretion, to loan or give to soldiers’ monument associations, posts of the Grand Army of the Republic, posts of the Veterans of Foreign Wars of the United States, posts of the American Legion, and other recognized war veteran associations, State museums, and incorporated museums operated and maintained for educational purposes only, whose charter denies them the right to operate for profit, municipal corporations, and posts of the Sons of Veterans Reserve, condemned or obsolete combat material, books, manuscripts, works of art, drawings, plans and models which may not be needed in the service of either of said Departments.

NOTE.—See note under item 1 of this section.

(3) That *subject to applicable regulations under the Federal Property and Administrative Services Act of 1949, as amended*, the Secretary of War is authorized and directed to apportion and distribute pro rata among the several States in the ratio that the total number of persons who have served or are serving in the Army of the United States from each State bears to the total number of such persons from all States, all war devices and trophies suitable for distribution, with the exception of such trophies as may be required for experimental purposes or for other use by the United States or any department or agency thereof, and the further exception of such trophies as may be required for display in national museums, at national homes for disabled members of the armed forces, or for monumental purposes in Arlington National Cemetery and in other national cemeteries, national parks, and national monuments wheresoever situated.

NOTE.—See note under item 1 of this section.

(4) That *subject to applicable regulations under the Federal Property and Administrative Services Act of 1949, as amended*, the Secretary of War is hereby authorized to prescribe rules and regulations to be observed in the preparation

and submission and opening of bids for contracts under the War Department;  
\* \* \*

NOTE.—See note under item 1 of this section.

(5) That Civil Air Patrol be established as a volunteer civilian auxiliary of the United States Air Force; and that, to assist Civil Air Patrol in the fulfillment of its objectives as set out in section 2 of the Act of July 1, 1946 (Public Law 476, Seventy-ninth Congress), the Secretary of the Air Force is hereby authorized, to the extent and under such conditions and regulations as he may prescribe—

(a) *subject to applicable regulations under the Federal Property and Administrative Services Act of 1949, as amended*, to make available to Civil Air Patrol by gift or by loan, sale or otherwise, with or without charge therefor, obsolete or surplus aircraft, aircraft parts, matériel, supplies, and equipment of the Air Force Establishment:

NOTE.—See note under item 1 of this section.

(6) That *subject to applicable regulations under the Federal Property and Administrative Services Act of 1949, as amended*, the Secretary of War be, and he is hereby, authorized to exchange deteriorated and unserviceable ammunition and components thereof for ammunition or components thereof in condition for immediate use.

NOTE.—See note under item 1 of this section.

(7) That *subject to applicable regulations under the Federal Property and Administrative Services Act of 1949, as amended*, the Secretary of War is hereby authorized, in his discretion and under such regulations as he may promulgate, to sell to the National Council of the Boy Scouts of America such obsolete material as may not be needed by the War Department, and such other material as may be spared, at prices representing a fair value to the War Department, including the cost of packing, handling, and transportation.

NOTE.—See note under item 1 of this section.

(8) That *subject to applicable regulations under the Federal Property and Administrative Services Act of 1949, as amended*, the Secretary of War be, and he is hereby, authorized, in his discretion, to sell to any State or foreign Government with which the United States is at peace at the time of the passage of this Act, upon such terms as he may deem expedient, any matériel, supplies, or equipment pertaining to the Military Establishment, except foodstuffs, as, or may hereafter be found to be surplus, which are not needed for military purposes and for which there is no adequate domestic market: \* \* \*

NOTE.—See note under item 1 of this section.

(9) § 92. Secretary; general powers

For the purpose of executing the duties and functions of the Coast Guard the Secretary may within the limits of appropriations made therefor:

\* \* \* \* \*

(d) design or cause to be designed, cause to be constructed, accept as gift, or otherwise acquire vessels, and *subject to applicable regulations under the Federal Property and Administrative Services Act of 1949, as amended*, dispose of them [the monies received, less the amount of expenses incurred from any such disposition (exclusive of governmental personal services), to be covered into the Treasury];

NOTE.—See note under item 1 of this section. Also, section 204 of the act makes unnecessary the deleted language.

(10) § 93. Commandant; general powers

For the purpose of executing the duties and functions of the Coast Guard the Commandant may:

\* \* \* \* \*

(h) design or cause to be designed, cause to be constructed, accept as gift, or otherwise acquire patrol boats and other small craft, equip, operate, maintain, supply, and repair such patrol boats, other small craft, aircraft, and vehicles, and *subject to applicable regulations under the Federal Property and Administrative Services Act of 1949, as amended*, dispose of them [the monies received, less the amount of expenses incurred from any such disposition (exclusive of governmental personal services), to be covered into the Treasury];

NOTE.—See note under item 1 of this section. Also, section 204 of the act makes unnecessary the deleted language.

(11) (a) The Commandant *subject to applicable regulations under the Federal Property and Administrative Services Act of 1949, as amended*, may dispose of, with or without charge, to the sea-scout service of the Boy Scouts of America, to any [regularly organized flotilla or other organized] incorporated unit of the Coast Guard Auxiliary, and to any public body or private organization not organized

for profit having an interest therein for historical or other special reasons, such obsolete or other material as may not be needed for the Coast Guard.

NOTE.—See note under item 1 of this section. Also, the substituted language specified will affect a technical clarification suggested by the Coast Guard.

(12) (b) The Soil Conservation Service *subject to applicable regulations under the Federal Property and Administrative Services Act of 1949, as amended*, may sell and distribute supplies, materials, and equipment to other Government activities, the cost of such supplies and materials or the value of such equipment (including the cost of transportation and handling) to be reimbursed to appropriations current at the time additional supplies, materials, or equipment are procured from the appropriations chargeable with the cost or value of such supplies, materials, or equipment.

NOTE.—See note under item 1 of this section.

(13) That *subject to applicable regulations under the Federal Property and Administrative Services Act of 1949, as amended*, the disposition or sale of surplus animals, and products, and the grant of privileges on said wildlife refuges may be made upon such terms and conditions as the Secretary of Agriculture shall determine to be for the best interests of government or for the advancement of knowledge and the dissemination of information regarding the conservation of wildlife, including sale in the open market, exchange for animals of the same or other kinds, and gifts or loans to public or private institutions for exhibition or propagation: *And provided further, That except as otherwise provided by section 204 of the Federal Property and Administrative Services Act of 1949 out of any moneys received from the grant, sale, or disposition of such animals, products, or privileges, or as a bonus upon the exchange of such animals the Secretary of Agriculture is authorized to pay any necessary expenses incurred in connection with and for the purpose of effecting the removal, grant, disposition, sale, or exchange of such animals, products, or privileges; and in all cases such expenditures shall be deducted from the gross receipts of the refuge before the Secretary of the Treasury shall distribute the 25 per centum thereof to the States as hereinbefore provided.*

NOTE.—See note under item 1 of this section. Also, section 204 of the act prompts the exception added by this item.

(14) "The commission may make such expenditures (including expenditures for rent and personal services at the seat of government and elsewhere, for law books, periodicals, and books of reference, and for printing and binding) as are necessary to execute its functions. Expenditures by the commission shall be allowed and paid upon the presentation of itemized vouchers therefor, approved by the chairman of the commission or by such other member or officer as may be authorized by the commission for that purpose *subject to applicable regulations under the Federal Property and Administrative Services Act of 1949, as amended.*"

NOTE.—See note under item 1 of this section.

(15) That the Secretary of State be, and he is hereby, authorized to lease to citizens of the United States any land heretofore or hereafter acquired under any Act, Executive order, or treaty in connection with projects, in whole or in part, constructed or administered by the Secretary of State through the said American Commissioner, or to dispose of such lands to American citizens when no longer needed, *subject to applicable regulations under the Federal Property and Administrative Services Act of 1949, as amended*, by sale at public auction, after thirty days advertisement, at a price not less than that which may be fixed by three disinterested appraisers, to be designated by the Secretary of State, or by private sale, or otherwise, at not less than such appraised value: \* \* \*

NOTE.—See note under item 1 of this section.

(16) That *subject to applicable regulations under the Federal Property and Administrative Services Act of 1949, as amended*, the Secretary of the Interior be, and he is hereby, authorized in his discretion to sell and convey by deed or patent, under such terms and conditions as he may prescribe, at not less than their appraised value, nonreservation Government tracts or plants or tribal administrative plants or reserves, or parts thereof, not exceeding forty acres in area and not exceeding \$2,000 in value, not longer needed for Indian administrative or allotment purposes, and small unallotted tracts not exceeding forty acres, where a sale will serve the tribal interests. All sales made under this Act shall be at public auction, to the highest and best bidder.

\* \* \* \* \*

The net proceeds of sale of any tribal site, plant, or tract shall be deposited in the Treasury of the United States to the credit of the Indians owning the same, to be disposed of for their benefit in accordance with existing law; and the net

proceeds of sales of Government-owned nontribal plants or lands shall be deposited in the Treasury of the United States].

NOTE.—See note under item 1 of this section. Also, section 204 of the act makes unnecessary the deleted language.

(17) That *subject to applicable regulations under the Federal Property and Administrative Services Act of 1949, as amended*, the Secretary of the Interior is hereby authorized to cause to be sold, to the highest bidder, under such rules and regulations as he may prescribe, any tract or part of a tract of land purchased by the United States for day school or other Indian administrative uses, not exceeding one hundred and sixty acres in any one tract, when said land or a part thereof is no longer needed for the original purpose; the [net] proceeds therefrom in all cases to be paid into the Treasury of the United States; title to be evidenced by a patent in fee simple for such lands as can be described in terms of legal survey, or by deed duly executed by the Secretary of the Interior containing such metes-and-bounds description as will identify the land so conveyed as the land which had been purchased: *Provided*, That where the purchase price was paid from tribal funds, [such] the net proceeds shall be placed in the Treasury of the United States to the credit of the respective tribes of Indians.

NOTE.—See note under item 1 of this section. Also, section 204 of the act prompts the other amendments made by this item.

(18) SEC. 2. The Secretary of the Interior is authorized and directed *subject to applicable regulations under the Federal Property and Administrative Services Act of 1949, as amended*, to sell or otherwise dispose of any property, plant, or machinery purchased or acquired under the provisions of this Act, as soon as the experiments and investigations hereby authorized have been concluded, and report the results of such experiments and investigations to Congress.

NOTE.—See note under item 1 of this section.

(19) The Secretary of the Treasury is authorized, in his discretion, *subject to applicable regulations under the Federal Property and Administrative Services Act of 1949, as amended*, to enter into a contract for the manufacture of distinctive paper for a period not to exceed four years.

NOTE.—See note under item 1 of this section.

(20) That *subject to applicable regulations under the Federal Property and Administrative Services Act of 1949, as amended*, from the proceeds of sales of old material, condemned stores, supplies, or other public property of any kind, before being deposited into the Treasury, either as miscellaneous receipts on account of "proceeds of Government property" or to the credit of the appropriations to which such proceeds are by law authorized to be made, there may be paid the expenses of such sales, as approved by the accounting officers of the Treasury, so as to require only the net proceeds of such sales to be deposited into the Treasury, either as miscellaneous receipts or to the credit of such appropriations, as the case may be.

NOTE.—See note under item 1 of this section.

(21) That the Secretary of the Navy is hereby authorized, in his discretion, *subject to applicable regulations under the Federal Property and Administrative Services Act of 1949, as amended*, to dispose of without charge, except for transportation and delivery, to the sea scouts department of the Boy Scouts of America, such obsolete material as may not be needed for the Navy, and such other material as may be spared at prices representing its fair value to the Navy.

NOTE.—See note under item 1 of this section.

(22) That the Secretary of the Navy is hereby authorized, under such regulations as he may prescribe, *subject to applicable regulations under the Federal Property and Administrative Services Act of 1949, as amended*, to sell, at nominal prices, to recognized charitable organizations, to States and subdivisions thereof, and to municipalities, such nonregulation and excess clothing as may be available and required for distribution to the needy: \* \* \*.

NOTE.—See note under item 1 of this section.

(23) SEC. 2. The Secretary of the Navy is authorized, in his discretion, *subject to applicable regulations under the Federal Property and Administrative Services Act of 1949, as amended*, to loan or give to any of the several States, Territories, or possessions of the United States, and political subdivisions or municipal corporations thereof, the District of Columbia, Canal Zone, Soldiers' Monument Associations, post of the Grand Army of the Republic, posts of the Veterans of Foreign Wars of the United States, posts of The American Legion, and other recognized war veteran associations, State museums, libraries, historical societies, and museums operated and maintained for educational purposes only, whose charter denies them the right to operate for profit, and posts of the Sons of Veterans



Reserve, educational institutions whose graduates or students fought in World War I or World War II, captured, condemned, or obsolete ordnance, guns, projectiles, books, manuscripts, works of art, drawings, plans, models, and other condemned or obsolete material, trophies, and flags, and other material of historic interest which may not be needed in the service of the Navy Department: \* \* \*

NOTE.—See note under item 1 of this section.

(24) That the Act of June 15, 1938, to require that horses and mules belonging to the United States which have become unfit for service be destroyed or put to pasture, be amended to read as follows:

"That *subject to applicable regulations under the Federal Property and Administrative Services Act of 1949, as amended*, [notwithstanding the first proviso in the fourth [sic] paragraph under the heading 'Division of Supply' in title I of the Act entitled 'An Act making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1930, and for other purposes', approved December 20, 1928 (45 Stat. 1030).] horses and mules belonging to the United States which have become unfit for service may be destroyed or put out to pasture, either on the pastures belonging to the United States Government or those belonging to financially sound and reputable humane organizations whose facilities permit them to care for them during the remainder of their natural life, at no cost to the Government."

NOTE.—See note under item 1 of this section. Also, the deletion is of a provision of law repealed by section 602 (a) (6) of the act.

(25) SEC. 7. Any executive department, independent establishment, or agency of the Federal Government or the Territory of Alaska, for the purposes of carrying out this Act, is authorized *subject to applicable regulations under the Federal Property and Administrative Services Act of 1949, as amended*, to transfer to the Administrator, upon his request, any lands, buildings, property, or equipment under its control and in excess of its own requirements which the Administrator may consider necessary or desirable for the construction, care, operation, maintenance, improvement, or protection of the airports.

NOTE.—See note under item 1 of this section.

(26) SEC. 14. That the Chief of Ordnance is hereby authorized *subject to applicable regulations under the Federal Property and Administrative Services Act of 1949, as amended*, to sell without advertisement to patriotic organizations for military purposes surplus obsolete small arms and their equipments and ammunition at such prices as he may deem reasonable and just: *Provided*, That hereafter obsolete small arms and their equipment and ammunition shall not be disposed of to such organizations except as provided for in this Act.

NOTE.—See note under item 1 of this section.

(27) That the Secretary of War be, and hereby is, authorized and directed, subject to such regulations as he may prescribe, *subject to applicable regulations under the Federal Property and Administrative Services Act of 1949, as amended*, to deliver to any of the "National Homes for Disabled Volunteer Soldiers" already established or hereafter established and to any of the State Homes for soldiers and sailors or either now or hereafter duly established and maintained under State authority, such obsolete serviceable cannon, bronze or iron, suitable for firing salutes, as may be on hand undisposed of, not exceeding two to any one Home.

NOTE.—See note under item 1 of this section.

(28) SEC. 47. That the Chief of Ordnance is hereby authorized *subject to applicable regulations under the Federal Property and Administrative Services Act of 1949, as amended*, to sell without advertisement for public parks, public buildings, and soldiers' monuments purposes surplus obsolete brass or bronze cannon, carriages, and cannon balls at such prices as he may deem reasonable and just: *Provided*, That hereafter obsolete brass or bronze cannon and their accessories shall not be disposed of for such purposes except as provided for in this Act.

NOTE.—See note under item 1 of this section.

### SECTION 3

(1) SEC. 103. The Secretary of Agriculture may propagate bee-breeding stock [and distribute by sale stock surplus to research needs: *Provided*, That the rates at which such sales are made shall be fixed by regulations of the Secretary and the proceeds of such sales shall be covered into the Treasury as miscellaneous receipts].

NOTE.—Unnecessary in view of sections 202, 203, 204, and 602 (f) of the act.

(2) That hereafter the appropriations for the subsistence of naval personnel shall be available for any and all expenditures necessary in the management,

### 34 AMEND OR REPEAL CERTAIN GOVERNMENT PROPERTY LAWS

operation, maintenance, and improvement of any plantation or farm, on land subject to naval jurisdiction outside of the continental United States, for the purpose of furnishing food and food products to the armed forces of the United States: [Provided, That equipment, material, and supplies required therein may be purchased without regard to section 3709 of the Revised Statutes, and other laws applicable to purchases by governmental agencies:]

NOTE.—Unnecessary in view of section 201 of the act and the requirements of the Department of Defense.

#### (3) § 92. SECRETARY; GENERAL POWERS.

For the purpose of executing the duties and functions of the Coast Guard the Secretary may within the limits of appropriations make therefor:

\* \* \* \* \*

(c) construct, or cause to be constructed, Coast Guard shore establishments [ , and sell or otherwise dispose of unsuitable or unserviceable shore establishments, the monies received, less amount of expenses incurred from any such disposition] exclusive of governmental personal services), to be covered into the Treasury];

NOTE.—Unnecessary in view of sections 202, 203, and 204 of the act.

(4) That the Secretary of War be, and he hereby is, authorized to furnish to the National Museum, for exhibition, upon request therefor by the administrative head thereof, such articles of arms, matériel, equipment, or clothing as have been issued from time to time to the United States Army, or which have been or may hereafter be produced for the United States Army, and which are objects of general interest or of foreign or curious research, provided that such articles [are surplus or] can be spared.

NOTE.—Unnecessary in view of section 202 of the act.

(5) SEC. 88. The [net] proceeds of the sale of condemned stores issued to the National Guard and not charged to State allotments shall be covered into the Treasury of the United States, as shall also stoppages against officers and enlisted men, and the net proceeds of collections made from any person to reimburse the Government for the loss, damage, or destruction of said property not charged against the State allotment issued for the use of the National Guard.

NOTE.—Unnecessary in view of section 204 of the act.

(6) SEC. 6. That the provisions of the following Acts of Congress relating to river and harbor improvements are hereby made applicable to works of flood control heretofore or hereafter authorized: August 8, 1917, section 9 (40 Stat. 267); July 18, 1918, sections 5 and 6 (40 Stat. 911) [; and August 30, 1935, section 7 (49 Stat. 1048)].

NOTE.—Unnecessary in view of the repeal proposed by item (57) of section 1 hereof.

(7) SEC. 29. The director is authorized, in his discretion, [to sell, lease, or exchange surplus equipment, supplies, products, or waste materials belonging to the bureau or any of its plants or institutions; and] to lease for a term, not exceeding three years, lands or buildings, or parts or parcels thereof, belonging to the United States and under the control of the bureau. [The net proceeds of all such sales, leases, or exchanges shall be covered into the Treasury of the United States as miscellaneous receipts.]

NOTE.—Unnecessary in view of sections 202, 203, and 204 of the act and section 3617 of the Revised Statutes (31 U. S. C. 484).

(8) SEC. 2. Section 3709 of the Revised Statutes shall not be construed to apply under any appropriation Act to the following departments and independent offices under the circumstances specified herein:

(a) American Battle Monuments Commission—[to any purchases when the aggregate amount involved does not exceed \$500, nor] to any leases in foreign countries for office or garage space.

NOTE.—Unnecessary in view of section 602 (f) of the act.

(9) SEC. 2. Section 3709 of the Revised Statutes shall not be construed to apply under any appropriation Act to the following departments and independent offices under the circumstances specified herein:

\* \* \* \* \*

(h) Department of State—[to any purchase or service when the aggregate amount does not exceed \$100, or with respect to articles, materials, or supplies for use outside the United States when the aggregate amount involved does not exceed \$300; or] when the purchase or service relates to the packing of personal and household effects of Diplomatic, Consular, and Foreign Service officers and clerks for foreign shipment.

NOTE.—Unnecessary in view of section 602 (f) of the act.

(10) SEC. 12. "The Joint Committee on Printing may permit the Public Printer to authorize any executive department or independent office or establishment of the Government to purchase direct for its use such printing, binding, and blank-book work, otherwise authorized by law, as the Government Printing Office is not able or suitably equipped to execute or as may be more economically or in the better interest of the Government executed elsewhere; and such Joint Committee also may authorize the Public Printer to procure services, materials, and supplies for use of the Government Printing Office without regard to the provisions of section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5) whenever the aggregate amount involved is less than \$50]."

NOTE.—Unnecessary in view of section 602 (f) of the act.

(11) [Charts of the Coast Survey that are obsolete and have been superseded by charts containing more advanced information based on the most recent surveys, may be distributed free to educational institutions, each of such charts to have stamped or printed conspicuously thereon the words "For school use only."]

NOTE.—Unnecessary in view of sections 202 and 203 of the act.

(12) SEC. 2. The provisions of section 207 of the Merchant Marine Act, 1936, as amended (46 U. S. C. 1117), and the Act of October 10, 1940 (Public, Numbered 831), shall apply to all the activities and functions which the Commission is authorized to perform under section 1 of this joint resolution; and the Commission is authorized to carry on the objects, activities, and functions provided for in section 1 of this joint resolution, without regard to the provisions of sections 355, 3648, and 3709 of the Revised Statutes of the United States; section 7 of the Act of May 27, 1930 (46 Stat. 391), relating to the purchase of prison-made goods; the Act of August 24, 1935 (49 Stat. 793), requiring performance and other bonds on public works; section 321 of the Act of June 30, 1932 (47 Stat. 412), relating to the lease of Government property, and any provision of law relating to the disposal of surplus Government property].

NOTE.—Unnecessary in view of section 602 (c) of the act.

(13) "SECTION 1. That for the purpose of conserving, producing, and selling helium gas the Secretary of the Interior, through the Bureau of Mines is authorized:

\* \* \* \* \*

"(d) To [dispose by lease or sale of wells, lands, or interests therein, not valuable for helium production; to dispose of oil, gas, and byproducts of helium operations not needed for Government use; and to] issue leases to the surface of lands or structures thereon for grazing or other purposes when the same may be done without interfering with the production of helium."

NOTE.—Unnecessary in view of sections 202 and 203 of the act.

(14) \* \* \* *Provided*, That the Architect of the Capitol shall have the care and superintendence of the Capitol including lighting, and shall submit through the Secretary of the Interior, estimates thereof]: \* \* \*

For the person in charge of the heating-apparatus of the Library of Congress, and other steam-heating apparatus in the central building, eight hundred and sixty-four dollars; and the Architect of the Capitol shall hereafter have the care and superintendence of the Capitol, including lighting], and shall submit through the Secretary of the Interior annually estimates thereof].

NOTE.—Since the Budget and Accounting Act, 1921, all such estimates have been submitted directly to the Congress by the Architect of the Capitol and included in the legislative branch appropriation acts. The estimates are transmitted through the Bureau of the Budget for bookkeeping purposes in the same manner as the House and Senate estimates.

(15) SEC. 1816. All improvements, alterations, additions, and repairs of the Capitol building shall hereafter be made by the direction and under the supervision of the Architect of the Capitol [Extension, and the same shall be paid for by the Secretary of the Interior out of the appropriations for such extension, and from no other appropriation]; \* \* \*

NOTE.—Appropriations for improvements, alterations, additions, and repairs of the Capitol have for many years been carried under other headings, and the provision with respect to the Secretary of the Interior has also been inoperative for a long period. Appropriation procedure for the past 30 years has been governed by the provisions of the Budget and Accounting Act of June 10, 1921, as amended.

(16) [Hereafter fuel shall be delivered to the two wings of the Capitol only during such hours and under such regulations as the Architect of the Capitol shall prescribe.]

NOTE.—This provision no longer serves a useful purpose. It was enacted when each wing of the Capitol had its own heating plant. Such plants were



discontinued when the Capitol Power Plant was placed in operation December 1, 1910.

(17) SEC. 11. Hereafter the Architect of the Capitol may transfer apparatus, appliances, equipments, and supplies of any kind, discontinued or permanently out of service, to such other branches of the service of the United States, or District of Columbia, whenever, with the approval of the Secretary of the Interior, in his judgment the interests of the Government service may require it.

NOTE.—The Secretary of the Interior has not actually exercised any functions in connection with activities under the Architect of the Capitol for the past 30 years, when such activities and the appropriations therefor were placed under the Legislative Establishment, following enactment of the Budget and Accounting Act, 1921.

(18) [The Superintendent of the Capitol Building and Grounds is hereby authorized and directed to remove any unused documents and material now in the Capitol Building or Senate and House Office Buildings, and the Patent Office models now stored in the Senate and House Office Buildings, to some building or buildings located on Reservation Numbered Thirteen, in the District of Columbia, and the Superintendent of the Capitol Building and Grounds is hereby made the custodian of the building or buildings so selected.]

NOTE.—This provision of law designating the Architect of the Capitol as the custodian of certain buildings on reservation numbered 13 in the District of Columbia, in which certain Patent Office models and other items were at one time temporarily stored, which previously had been stored in the Capitol, Senate and House Office Buildings, no longer serves a useful purpose. The statute has been fulfilled, and reservation 13 is now the site of the District Jail and Gallinger Hospital.

(19) [SEC. 1832. It shall be the duty of the officer or officers having in charge the property of the United States in and about the Capitol, the President's House, and the Botanical Garden, to furnish an annual statement to the Architect of the Capitol Extension, by the first day of December, setting forth the public property in all the buildings, rooms, and grounds under their charge, purchased during each year, and an account of the disposition of such property during the same period, whether by sale or otherwise.]

NOTE.—Under this section, derived from an act of 1872, an inventory was required to be maintained and reported of certain public properties. These provisions actually have not been followed for many years due to practical difficulties encountered, resulting largely from changed conditions with respect to jurisdiction and increased properties to be accounted for.

(20) [SEC. 1833. The Architect of the Capitol Extension shall make out and keep, in proper books, a complete inventory of all public property in and about the Capitol, the Botanical Garden, and the President's House, adding thereto, from time to time, an account of such property as may be procured, subsequently to the taking of the first inventory, as well as an account of the sale or other disposal of such property. And he shall submit an annual report of such inventories and accounts, on the first Monday of December to Congress.]

NOTE.—Under this section, derived from an act of 1870, the Architect of the Capitol was required to maintain an inventory of certain public properties and to report thereon annually to Congress. These provisions actually have not been followed for many years due to practical difficulties encountered, resulting largely from changed conditions with respect to jurisdiction and increased properties to be accounted for.

(21) [SEC. 1834. The two preceding sections shall not apply to the books, pamphlets, papers, and documents in the Library of Congress, nor to the supplies of stationery and fuel in the several public buildings and offices therein referred to.]

NOTE.—Unnecessary because of the repeals proposed by items (19) and (20) of this section.

#### SECTION 4

(1) "(i) acquire, accept as gift, maintain, [and] repair, and *discontinue* aids to navigation, appliances, equipment, and supplies [, and *discontinue*, or otherwise dispose of obsolete, unsuitable, or unserviceable aids to navigation, appliances, equipment, and supplies, the monies received, less amount of expenses incurred from any such disposition (exclusive of governmental personal services), to be covered into the Treasury];

NOTE.—Revision is prompted by sections 202, 203, and 204 of the act.



(2) SEC. 3. The Secretary of the Interior is authorized [to sell the products of the plants at not more than actual cost, including amortization of capital expenses, as determined by him, to any department, agency, or instrumentality of the Federal or any State government, but priority shall be given to orders placed by the War or Navy Departments. Any remaining products may be sold at going prices to any purchaser through regular commercial channels. The Secretary of the Interior, subject to approval by Congress, shall also have authority to dispose of any lands or other real or personal property acquired, but in his opinion no longer useful, for the purposes of this Act; and he shall have authority] to grant, on such terms as he may consider appropriate *but subject to section 207 of the Federal Property and Administrative Services Act of 1949*, licenses under patent rights acquired under this Act: *Provided, That such licenses are consistent with the terms of the agreements by which such patent rights are acquired. No patent acquired by the Secretary of the Interior under this Act shall prevent any citizen of the United States, or corporation created under the laws of the United States or any State thereof, from using any invention, discovery, or process covered by such patent, or restrict such use by any such citizen or corporation, or be the basis of any claim against any such person or corporation on account of such use.*

NOTE.—Revision is prompted by sections 202, 203, and 207 of the act.

(3) SEC. 3618. All proceeds of sales of old material, condemned stores, supplies, or other public property of any kind, except the proceeds of the sale or leasing of marine hospitals, or of the sales of revenue cutters, or of the sales of commissary stores to the officers and enlisted men of the Army, or of materials, stores, or supplies sold to officers and soldiers of the Army or of the sale of condemned Navy clothing, or of sales of materials, stores, or supplies to any exploring or surveying expedition authorized by law, *or as provided in section 204 of the Federal Property and Administrative Services Act of 1949, or in other law*, shall be deposited and covered into the Treasury as miscellaneous receipts, on account of "proceeds of Government property," and shall not be withdrawn or applied, except in consequence of a subsequent appropriation made by law.

NOTE.—Section 204 of the act and other laws provide further exceptions as shown.

(4) SEC. 5. That when any land or other property which has been heretofore or may be hereafter purchased or acquired for the improvement of rivers and harbors is no longer needed, or is no longer serviceable, *and is transferred or sold, the proceeds thereof may be credited to the appropriation for the work for which it was acquired* [It may be sold in such manner as the Secretary of War may direct, and the proceeds credited to the appropriation for the work for which it was purchased or acquired; and the Secretary of War may direct the transfer of any property employed in river and harbor works, and in such event the property so transferred shall be valued and credited to the project upon which it was theretofore used and charged to the project to which it shall be transferred. The Secretary may also direct a temporary transfer of any property employed in the improvement of rivers and harbors whenever, in his judgment, such transfer would secure efficient or economical results, and such adjustment in the way of charges and credits shall be made between the projects affected as may be equitable.]

NOTE.—Revision is prompted by sections 202 and 203 of the act.

(5) SEC. 5. [It] *Except as otherwise provided under the Federal Property and Administrative Services Act of 1949, as amended, it shall be the duty of the Secretary of the Navy to cause to be appraised, in such manner as may seem best, all vessels of the Navy which have been stricken from the Navy Register under the provisions of the act making appropriations for the naval service for the fiscal year ending June thirtieth, eighteen hundred and eighty-three, and for other purposes, approved August fifth, eighteen hundred and eighty-two. And if the said Secretary shall deem it for the best interest of the United States to sell any such vessel or vessels, he shall, after such appraisal, advertise for sealed proposals for the purchase of the same, for a period not less than three months, in such newspapers as other naval advertisements are published, setting forth the name and location and the appraised value of such vessel, and that the same will be sold, for cash, to the person or persons or corporation or corporations offering the highest price therefor above the appraised value thereof; and such proposals shall be opened on a day and hour and at a place named in said advertisement, and record thereof shall be made. The Secretary of the Navy shall require to accompany each bid or proposal a deposit in cash of not less than ten per centum of the amount of the offer or proposal, and also a bond, with two or more sureties to be approved by*

him, conditioned for the payment of the remaining ninety per centum of the amount of such offer or proposal within the time fixed in the advertisement. And in case default is made in the payment of the remaining ninety per centum, or any thereof, the Secretary, within the prescribed time thereof, shall advertise and resell said vessel under the provisions of this Act. And in that event said cash deposit of ten per centum shall be considered as forfeited to the government, and shall be applied, first, to the payment of all costs and expenditures attending the advertisement and resale of said vessel; second, to the payment of the difference, if any, between the first and last sale of said vessel; and the balance, if any, shall be covered into the Treasury: *Provided, however,* That nothing herein contained shall be construed to prevent a suit upon said bond for breach of any of its conditions. Any vessel sold under the foregoing provisions shall be delivered to the purchaser upon the full payment to the Secretary of the Navy of the amount of such proposal or offer; and the net proceeds of such sale shall be covered into the Treasury. But no vessel of the Navy shall hereafter be sold in any other manner than herein provided, or for less than such appraised value, unless the President of the United States shall otherwise direct in writing. In case any vessel now in process of construction in any navy yard has been or shall be found to be unworthy of being completed, and has been and shall be condemned under the provisions of said act, and cannot properly be sold, and it becomes necessary to remove the same, the cost of such removal shall be paid out of the net proceeds derived from the sale of other vessels hereby authorized to be sold.

NOTE.—Revision is prompted by sections 202 and 203 of the act.

(6) That the Secretary of the Navy is authorized, upon such terms and conditions as he may in his discretion prescribe, to transfer by gift or otherwise obsolete or condemned vessels of the United States Navy or captured vessels in the possession of the Navy to any of the several States, Territories, or possessions of the United States, and political subdivisions, or municipal corporations thereof, the District of Columbia, Canal Zone, or to corporations or associations whose charter or articles of agreement denies them the right to operate for profit. The transfer agreement for the disposition of any vessel shall include a stipulation that the transferee shall maintain the vessel in a condition satisfactory to the Navy Department and that no expense shall result to the United States as a consequence of such transfer or as a consequence of such terms and conditions prescribed by the Secretary of the Navy: *Provided,* That the provisions of [section 34 (a) of the Surplus Property Act of 1944 (58 Stat. 765; 50 U. S. C. 1611)] section 602 (c) of the *Federal Property and Administrative Services Act of 1949, as amended*, shall apply to this Act.

NOTE.—A technical substitution is effected of a like provision of the Act for a repealed provision of the Surplus Property Act of 1944.

(7) The Postmaster-General is authorized to extend, for a period not exceeding six months, the contract for official, registry, and dead-letter envelopes for the postal service for the calendar year ending December thirty-first, nineteen hundred and six; and thereafter the Postmaster-General shall contract, for a period not exceeding four years, for all envelopes, stamped or otherwise, designed for sale to the public, [or] and, subject to applicable regulations under the *Federal Property and Administrative Services Act of 1949, as amended*, may similarly contract for such envelopes for use by the Post-Office Department, the postal service, and other Executive Departments, and all Government bureaus and establishments, and the branches of the service coming under their jurisdiction, and may contract for them to be plain or with such printed matter as may be prescribed by the Department making requisition therefor: *Provided,* That no envelope shall be sold by the Government containing any lithographing or engraving, nor any printing nor advertisement, except a printed request to return the letter to the writer.

NOTE.—Revision is prompted by section 201 (a) of the act

(8) [The Secretary of the Treasury is authorized to sell such lands as have been or may hereafter be acquired by the United States by devise, upon such terms and after such public notice by advertisement as he may deem best for the public interest.]

*The General Services Administration is authorized to take custody, for disposal as excess property under the Federal Property and Administrative Services Act of 1949, as amended, of such lands as have been or may hereafter be acquired by the United States by devise.*

NOTE.—Lands devised to the Government are essentially excess property and should be disposed of under sections 202 and 203 of the Act, preferably by a property, rather than a fiscal, agency of the Government.

(9) SEC. 6. (a) The Authority may make such expenditures, subject to audit under the general law, for the acquisition and maintenance of adequate administrative agencies, offices, vehicles, furnishings, equipment, supplies, books, periodicals, printing and binding, for attendance at meetings, for any necessary traveling expenses within the United States, its Territories, dependencies, or possessions, and for such other expenses as may from time to time be found necessary for the proper administration of this Act. Such financial transactions of the Authority as the making of loans, annual contributions, and capital grants, and the acquisition, sale, exchange, lease, or other disposition of real and personal property, and vouchers approved by the Administrator in connection with such financial transactions, shall be final and conclusive upon all officers of the Government; except that all such financial transactions of the Authority shall be audited by the General Accounting Office at such times and in such manner as the Comptroller General of the United States may by regulation prescribe *and shall be subject to applicable regulations under the Federal Property and Administrative Services Act of 1949, as amended.*

NOTE.—See note under item 1 of section 2.

(10) Hereafter the purchase of supplies and equipment and the procurement of services for all branches under the Architect of the Capitol may be made in the open market without compliance with section[s] 3709 [and 3744] of the Revised Statutes of the United States, *as amended*, in the manner common among businessmen, when the aggregate amount of the purchase or the service does not exceed \$[200] 500 in any instance.

NOTE.—This amendment makes a technical improvement and also provides the Architect of the Capitol with the same authority to make purchases in the open market as is provided for other agencies of the Government.



